

Volume 1, Issue 1

Fall 2005



CONTACT US AT: LONESOME DOVE NEWS@YAHOO.COM

# Lonesome Dove News

*Editor's Note: The print on this Newsletter is small. Apologies to all. There is a lot of required information to share in the first edition. The print will be larger next time!*

## President's Message

By Paul Straszewski

Dear Association Member(s) -

July marked the first year of the Lonesome Dove Ranch Homeowners' Association's full control. I urge all members to become involved with future decisions. Any Association is only as strong as its members and everyone has the same interest at heart. There will be some items that you will be asked to vote on such as the Bylaws, Architectural control changes and some other important issues. I urge your prompt response. Your voice matters to the Board of Directors and our Officers so speak up!

The newsletter that you have received contains information that all owners need to look at. Some of the highlights are the voting results, cattle grazing program, fire protection etc. I urge you to become familiar with these changes and review the CC&R's you received when you purchased your land. One of the biggest changes was that Propane Tanks must be buried. We are urging all those with tanks that are not buried to do so but if that can't be done the tank must be properly screened. The design of said screening needs to be approved by the Architectural Control Committee [ACC].

The new ACC members are Jack Anderson, Mike Mellows and Tom Trucinski. All other Officers and Directors are the same. Please communicate with us, this is the only way we can represent you.

The Board of Directors, Officers and myself would like to thank Mike Walters, Bill Wolfer and Ronnie Yates for the time and dedication they devoted to bringing Lonesome Dove Ranch to this juncture. Their work was appreciated.

We now have a newsletter that will come out 3 times a year with the help of Karen Brown and we will be experimenting with a website with the help of Todd [Fedoruk], Karen's husband. Those of you who have supplied us with your Email will receive the newsletter that way.

Thank you for your time. If you have any questions, please do not hesitate to contact me at 609-586-4088.

Sincerely, *Paul Straszewski*, President, LDRHA

## LDR Homeowner's Association Meeting held at El Western Resort on July 29, 2005

The 4th Annual Lonesome Dove Ranch Homeowner's Association meeting was held at the El Western Resort in Ennis, on Friday afternoon, July 29, 2005. There were 22 homeowners in attendance.

**Next Annual Meeting: July 28, 2006 at the El Western in Ennis. Make your plans to attend!**

**Out-of-state owners; Visit [WWW.ELWESTRN.COM](http://WWW.ELWESTRN.COM) to make your reservations now!**

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### Special points of interest:

- Minutes of 4th Annual LDR HA Meeting
- Provisional Bylaws enclosed for review
- President's Message
- Architectural Committee Ballot results

### Abbreviations used in this Newsletter:

LDR = Lonesome Dove Ranch

HA = Homeowners' Association

# Lane Adamson talks to Lonesome Dove's Annual Meeting on Land Management

by Paul Straszewski, President LDRHA

At the meeting we had a very interesting speaker, Lane Adamson, from the "Madison Valley Ranchlands Group". His major concern was being a good Steward to the land we own.

Owning land has its responsibilities in order to keep it in good condition. Lane emphasized that the land cannot lay stagnant, in order for it to survive we must allow for the natural process to continue. This land was grazing land once by herds of Buffalo,

Elk and other large groups of grazing animals but then ranchers came and cattle took over the grazing. Now that we no longer have any of those larger grazing groups the land is losing its value. Just like a lawn if you don't cut it and take care of it you will soon see bare spots and weeds start to grow and that's what is happening to our land in Lonesome Dove at this time.

Owners need to become active and be responsible for their land.

Weeds need to be sprayed and grass needs to be cut or grazed at least once a year. Owners with homes need to keep a neat and clean appearance around their homes so that the entire subdivision looks good. If we all do our part land values will continue to rise and I think that is everyone's goal.

[For more information, contact Lane at 406-682-3259, or email him at mvranch@3rivers.net.]

## Architectural Resolutions: Passing Resolutions

Over half (51%) of all lot-owners voted in the ballot that was mailed out earlier this year. Homes not meeting these requirements will be considered "grandfathered" The results of the voting are as follows:

### **PASSING Resolutions:**

#### **Roof Pitch:** 31- For, 2- Against

Minimum roof pitch of 5/12 for the main structure and does not include porches or dormers. Minimum roof pitch of 4/12 for garages and outbuildings, no flat roofs are allowed

#### **Overhang:** 31- For, 2- Against

Minimum 12-inch overhang on main structure, garages and outbuildings

#### **Foundations:** 28- For, 5- Against

Cement and Cinderblock foundations that are exposed more than 18 inches above grade will require a stucco, Dryvit type product, stone, brick, or man-made stone product to be applied to the exposed foundation. (Paint only is not an option).

#### **Modular Home moving system hardware:** 31- For, 1- Against

All hardware (moving systems) used to deliver Modular Homes, must be removed in a timely fashion (within one month of completion of home).

#### **Propane tanks:** 24- For, 9- Against

Propane tanks must be buried.

#### **Satellite Dish:** 27- For, 6- Against

Satellite Dishes, larger than 36-inches in diameter, are not allowed.

#### **Construction / Landscape Excess Materials:** 30- For, 3- Against

Any remaining dirt, stone, etc. left over from the construction phase of the home or additions remaining in piles shall be removed or leveled one year from the finished construction or one year from the beginning of the any addition or landscaping project.

Earth used to produce a berm or mound for planting and wind blockage is

## Results on Vote for Approved Colors in Lonesome Dove Ranch

Another result of the summer's Ballot was the vote to use specific color themes on our homes and outbuildings in Lonesome Dove Ranch. The results and guidelines are as follows:

#### **Earth tones color for exterior surfaces:**

13 For Option #1

20 For Option #2—Option 2 passes

**Earth tones colors:** Browns, beige, tan, taupe, sand, white and subdued shades of green, red, blue, and gray. (green & red metal roofs are OK)

**Colors that do not reflect earth tones are:** Purple or other mixed hues of colors such as chartreuse, burgundy, magenta, etc.

#### **Building colors:** 32- For, 1- Against

All building colors on an Owners lot should match as close as possible giving consideration to the use of different finishing materials, Wood, metal, cement, etc.

For questions about any of the above, contact President Paul Straszewski or a member of the Architectural Review Committee.

## Resolution for Removal of "Unightly Equipment:" Does NOT Pass Vote

The proposed resolution to require homeowners remove "unightly objects" did not obtain enough "FOR" votes to pass. In such a matter, 90% of the votes are required to approve an amendment to the CC&R's. A 90% vote in this instance would require 30 votes FOR the resolution.

**Unightly Objects:** 19- For, 14- Against (Did not pass) This vote is to amend section 12 to add the following as Unightly Objects and therefore requires a 90% passing vote. "Farming Equipment (Tractors, manure spreaders, etc.)"

*Editor's Note: While this resolution did not pass, certainly we can all agree that being a good neighbor includes being sensitive to our neighbors' sensibilities. What may seem "unightly" to some may NOT seem unightly to others. Be aware of how our property looks to a passing stranger, and keep whatever overflow vehicles, equipment and large objects you may possess in your outbuildings if at all possible. We want our neighborhood to look inviting. Do your part!*

# Homeowners' Association Meeting Minutes for July 29, 2005

**Those Present:** Tom & Paula Hardeman, Bill & Cindy Wolfer, Karen Brown, Vickie Wrigley, Tom Trucinski, Mike & Lynda Mellows, Jay & Vicki McQuillen, Mike McNulty, Paul & Julie Straszewski, Dick & Linda Anderson, Jack & Barbara Anderson, Mark Buxbaum, Orill & Linda Frantz, Zoe Todd/A.Z. Snow

**Guest speaker:** Lane Adamson from Madison Valley Ranchlands Association (see related Article in this Newsletter).

Mr. Lane Adamson from the Madison Valley Ranchlands Association. The Ranchlands Association, a non-profit organization, was developed to help the future of ranching. Mr. Adamson said that Lonesome Dove has native grasses. They are cool season grasses. By July or August they are done growing. Weeds are a problem in the Madison Valley. Mr. Adamson says that the vegetation has to be managed, or the weeds will come in. This has been a good year for grass so we all have an abundance of it. Now that it is maturing, we have to think of fire. The grass will burn almost like gasoline. He said that grazing is a good way to take care of the grass, or mowing. Haying is not feasible as there is not enough there to make it profitable. He also stated that livestock has to be managed. On a 20 acre lot you could put 20-30 cattle for about a week in June and if it is a real good year you could put them in again in the fall for another week. Madison River Ranches Subdivision is grazed. Even with grazing, he says that we must maintain weed spraying. Cindy Wolfer raised some issues with the grazing, manure and temporary fencing. Mr. Adamson stated that Madison County has sights, smells and sounds that aren't in the big cities of the east. He also stated that the homeowners in our association have to discuss things and work out differences. ~ Lane Adamson was thanked for coming to our meeting and applauded for his talk. ~ Paul Straszewski asked if there were any more comments. He stated that grazing is not being shoved down anyone's throat. Jay said it was originally proposed as an experiment. Only certain people were invited to participate because they had to be where the water was located. It was going to be tried and then a report was going to be made to the homeowners association.

## 2004 Minutes

Paul Straszewski asked for the minutes to be read. Linda Anderson read the minutes from the Third Annual LDRHA Meeting on July 26, 2004. ~ Jay McQuillen motioned that the minutes be approved. Jack Anderson seconded. The minutes were approved.

## Financial Report

Linda Anderson presented the profit and loss statement, balance sheet and the proposed 2006 budget. There were a few questions on some of the expenditures and income by Mike Mellows. Mark Buxbaum motioned that the financial report be approved. Julie Straszewski seconded. ~ The motion was approved.

**Proxy Votes:** Proxy votes were read by Linda Anderson.

<u>Lot Owner:</u>	<u>Proxy given to:</u>
Joseph & Maryrose Carosia (35-3)	Paul Straszewski
Walter Pease (35-27/28)	Paul Straszewski
John & Wanda Shott (35-29/30)	Cindy Wolfer
Michael Riggs (27-17)	Cindy Wolfer
Ron Yates (27-5)	Bill Wolfer
Daniel & Martha Belland (27-16)	Mike McNulty
Pat Rushton (35-24)	Richard Anderson
Arthur Snow (35-17)	Zoe Todd
Kelly (Bowen) Doiron	Don Bowen

## Architectural Committee Report

Bill Wolfer gave the report. He welcomed 3 new people to our community.

Tom & Phyllis Trucinski (Lot 27-20)-- home has been completed.

Tom & Paula Hardeman (Lot 27-6)-- home has been completed.

Mike & Lynda Mellows (Lot 27-29)-- construction to begin this summer.

Fencing was also approved for Trucinskis' and Andersons'; an out building is in review for the Hardemans'; In May 2005, Mike Walters resigned from the Architectural Committee and Jack Anderson was appointed to fill his remaining term; Bill thanked Ronnie Yates, Mike Walters and Jack Anderson for their hard work. Paul Straszewski thanked Bill and the other members of the Architectural Committee for their time and effort. Jay asked for a round of applause.

## Weed Spraying Report

Jack Anderson gave the report. Ruben Briggs sprayed 52 acres of ground along our roads. He mainly sprayed for Russian Thistle. He used Outlaw, Opti-Amine and Telar sprays. We applied for cost sharing with the county and should receive about half of our cost back. Jack also stated that in his own spraying, he uses Curtail which is about \$40 per gal. Apply 2 quarts per acre with surfactant. Jack said Ruben did a good job and was very conscientious.

Paul Straszewski talked about a pamphlet from Murdock's on chemicals for weed spraying. He also had a pamphlet on grass seed. These were passed out to those who were interested. [If you would like to receive a copy of the pamphlet, contact Jack Anderson or Paul Straszewski.]

## Maintenance Report

Dick Anderson was asked to give the report. Gordy Matson received the bid on fixing our front entrance. He reshaped the mounds and covered them with weed barrier. Then covered them with different sized stones. Decorative boulders were placed on top. Railroad ties were placed around the bottom and grass was planted around the base of the mounds. Gordy also applied 150' of road mix at the entrance. He did a fine job for our subdivision.

Next Dick gave a report on the road grading that was done by David Gates. He cut out the potholes and washboards and leveled the surface with the grader. Then he stone raked to take off the larger rocks. Dick also mentioned the high rate of speed that a lot of vehicles use on our roads. He stated that we need a speed limit in our subdivision. There was a lot of discussion on the speed limit issue. **Motion:** Karen Brown made a motion that we have a 25 MPH speed limit sign at the entrance. Julie Straszewski seconded. There was more discussion. Paul asked for a show of hands. Motion carried.

Jay McQuillen brought up 3 motions.

**Motion 1:** Directors to draft a letter to all property owners that indicates that a high fire danger exists and that if a structure exists on the property, it is highly recommended that a 150' green zone be planted or cut to mitigate the fire danger to the structures.

Paul seconded. Vote was unanimous. Motion carried.

**Motion 2:** The HOA will make a diligent effort to contract someone to cut the grass within 15' of the current edge of the roadway shoulder to allow for fire access.

Mark Buxbaum seconded. Vote was unanimous. Motion carried.

**Motion 3:** To allow grazing on a one time experimental basis on properties specifically giving approval to the directors in writing. The grazing operation will be monitored and administered by the Madison Valley Ranchlands Group or other independent agency and a report will be prepared and given at the next annual meeting. Jack Anderson seconded. Vote: 17 for, 1 against.

(Continued on page 4)

# Minutes of Lonesome Dove Homeowners' Association ~ Continued

(Continued from page 3)

Karen Brown volunteered to develop a newsletter for the HOA. She will also develop a checklist to send to homeowners to see if anyone is adversely impacted by the grazing. [To be included in a future Newsletter, OR will be available on the Website.]

## Report on Entryway Sign

Cindy Wolfer gave the report on the new sign over our archway. It was done by Cowboy Steel in Pony, MT. Cowboy steel drew the design which was approved by Cindy. It was put up in June. Paul Straszewski said the sign looks very nice. He thanked Cindy and she was applauded for her efforts.

Paul Straszewski brought up the issue of lights on the entrance. He said he is putting up two sets of solar lights; one on each side of the entry.

## General Rules Voting Results: See related Articles in this Newsletter

## By-Laws

Jay McQuillen talked about the set of by-laws that were supposed to be the LDRHA by-laws. Paul Straszewski made a motion to have them approved as the association by-laws. Mike McNulty seconded. Cindy Wolfer said they would like to look them over before they vote. Mike McNulty said they should be recorded after they are approved. Paul Straszewski made an amended motion to send a ballot along with the newsletter to vote for or against the by-laws by Oct. 1, 2005. Jay seconded. It will be mailed to everyone except those who voted at the meeting.

Those voting for the by-laws were: Jack Anderson, Richard Anderson, Paul Straszewski, Jay McQuillen, Mike McNulty and Tom Trucinski.

Paul made a motion to approve sending the voting on the by-laws through the mail. Jay seconded. The motion carried unanimously.

Mike McNulty raised a question if we are incorporated. Paul Straszewski stated that we are registered with the state as a non-profit organization.

Vickie McQuillen raised questions on the raising of the entrance way. Paul told her that it had to be lifted to admit the modular homes. It was the responsibility of the association to supply an entrance large enough for these homes, since they are allowed according to our covenants. Dick Anderson stated that the entrance is as high as it can go. It can not be raised any more. Paul stated that if we have to have a bigger opening, then possibly we could put a gate on the emergency right-of-way at the southern end of the subdivision and put a culvert in the ditch for access.

Paul Straszewski thanked Mike McNulty for contributing money to help pay for the entrance. He also thanked Jack Anderson for helping with the weed spraying, Dick Anderson for helping with the roads and with help in the background, Linda Anderson for keeping records, Bill Wolfer for his help, Cindy Wolfer for helping with the sign. Mike McNulty also added his thanks to everyone that helped in this past year.

The meeting was adjourned by Paul Straszewski

[Minutes Respectfully Submitted: Linda Anderson, Secretary/Treasurer.]

## Officers and Directors of Lonesome Dove Ranch Homeowners' Association

The following is a list of your Lonesome Dove Ranch Homeowners' Association Officers and Directors, as well as an indication of who is serving on which committee. ***Volunteers are welcome!*** If interested, so indicate on your Bylaws Ballot.

<u>Capacity of Service</u>	<u>Name</u>	<u>Contact Information</u>	<u>Email</u>
President	Paul Straszewski	MT: 406-682-3055 NJ: 609-586-4088 (after 9/1)	strasz1@msn.com
Vice President	Dick Anderson	MT: 406-682-5292	rilia@3rivers.net
Secretary/Treasurer	Linda Anderson	MT: 406-682-5292	rilia@3rivers.net
Director-at-Large	Mike McNulty ('04-'06) Jay McQuillen ('04-07)	MT: 406-546-0483 MT: 406-682-3424	grizzwin@msn.com jmcqui5402@aol.com
Architectural Control Committee	Jack Anderson Mike Mellows Tom Trucinski	FL: 239-352-1697 NV: 775-782-4103 MT: 406-682-7073	jander9924@aol.com mellows1@charter.net
Land Management	Jack Anderson	FL: 239-352-1697	jander9924@aol.com
Newsletter & Website Election Committee	Karen Brown & Todd Fedoruk <currently vacant>	AZ: 520-531-0409	lonesomedovenews@yahoo.com

# Lonesome Dove Ranch debuts on the World Wide Web at [WWW.LonesomeDoveRanch.ORG](http://WWW.LonesomeDoveRanch.ORG)

Todd Fedoruk has volunteered his time and talent to create our Lonesome Dove Ranch website. Todd currently is the Director for Management Information Systems for ASARCO, Inc., based in Tucson, Arizona. He is also President of his local homeowners' association in Tucson and created a website for his home neighborhood, too.

The new website will include many things in the future, not all of which are currently available on the website. In deference to those members who do not have high-speed or cable internet hookups, Todd has kept the website very simple. The more pictures, diagrams and photographs used will result in a much longer download time for people with dial-up telephone internet connections.

What is on the website now? The proposed BYLAWS are on the website

(will take about 30+ seconds to download if you have dialup connection to the internet). The CC&R's are on the website, along with the changes and amendments voted in this year. A

*"In the future, we anticipate that most of our communications may take place via the internet and email."*

list of Officers and Directors, with contact information is on the website. And, once it is finished, this Newsletter will appear on the Website, too.

Perhaps most importantly, there is a 'form' on the website that you can click on, enter your questions or information,

and hit 'send' to communicate.

In view of the fact that many lot owners live far away, a website seemed the best way to keep everyone informed of what is happening 'on the Ranch.'

### EMAIL ADDRESSES NEEDED

If you have an email address, and you have not yet shared it with Lonesome Dove Ranch Homeowners' Association, please email the Newsletter Editor at the newly created email address for the Newsletter:

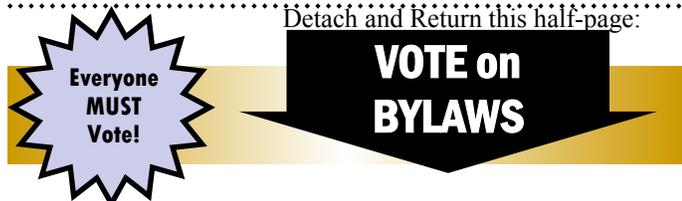
[LonesomeDoveNews@yahoo.com](mailto:LonesomeDoveNews@yahoo.com).

Anything emailed to this address will be shared/emailed to the appropriate people.

In the future, we anticipate that most of our communications may take place via the internet and emails.

However, we must have YOUR email address to make this work! Make sure to include yours on your return Ballot (below).

Detach and Return this half-page:



## Bylaws for Lonesome Dove Ranch Homeowners' Association

**There has been a CHANGE to the Bylaws presented on 7/29 at the LDRHA meeting: A quorum of homeowners is now 1/3 (21 lots), as opposed to previously proposed 1/5 (13 lots).**

### Instructions:

1. **READ** the Bylaws. Pay special attention to those issues that concern you, like how many votes it takes to make changes to the CC&R's or Bylaws.
2. **VOTE** on the attached Ballot and return to LDRHA PO Box by **OCTOBER 1, 2005**.
3. *If a Ballot is NOT received from a homeowner, it will be assumed you APPROVE of the Bylaws as they are presented.*
4. If you have concerns or questions about the Bylaws, contact a Board of Directors member (see box with contact information) for clarification.
5. Our proposed Bylaws are also posted on: [WWW.LonesomeDoveRanch.ORG](http://WWW.LonesomeDoveRanch.ORG).

### Ballot for Bylaws, LDR HA

Name \_\_\_\_\_ Section #: \_\_\_\_\_  
 Address \_\_\_\_\_ Lot #: \_\_\_\_\_

Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_

Phone \_\_\_\_\_  
 Email Address: \_\_\_\_\_

### VOTE to APPROVE Bylaws for LDR HA

- YES  
 NO  
 Abstain

### I want to Volunteer for a Committee !

- |   |   |
|---|---|
| <input type="checkbox"/> Newsletter Committee | <input type="checkbox"/> Website development    |
| <input type="checkbox"/> Land Management      | <input type="checkbox"/> Ideas? (list at right) |
| <input type="checkbox"/> Architectural Review | <input type="checkbox"/> Other (list at right)  |
| <input type="checkbox"/> Elections Committee  |   |

**Return this Ballot to the following address by 10/1/05:**

**Lonesome Dove Ranch  
 Homeowners' Association  
 PO Box 212  
 Cameron, MT 59720**



# **\*\* Proposed Lonesome Dove Ranch Bylaws \*\***

## **READ, VOTE and RETURN BALLOT by October 1, 2005**

### **ARTICLE I: NAME AND LOCATION**

The name of the corporation is LONESOME DOVE RANCH HOMEOWNERS' ASSOCIATION, hereinafter referred to as the "ASSOCIATION". The principal office of the corporation shall be located at the City of Cameron, Madison County, Montana, but meetings of members and directors may be held at such places as may be designated by the Board of Directors.

### **ARTICLE II : DEFINITIONS**

**Section 1.** "Association" shall mean and refer to LONESOME DOVE RANCH HOMEOWNERS' ASSOCIATION, its successors and assigns.

**Section 2.** "Common Area" shall mean all, real property owned by the Association for the common use and enjoyment of the "Owners."

**Section 3.** "Declaration" shall mean and refer to the Declaration of Protective Covenants, Conditions and Restrictions applicable to the "Properties" recorded in the office of Clerk and Recorder of the County of Madison, Montana.

**Section 4.** "Lot" shall mean and refer to any plat of land shown upon any recorded subdivision map of the "Properties" with the exception of the Common Area.

**Section 5.** "Member" shall mean and refer to those persons entitled to memberships as prescribed in the Declaration.

**Section 6.** "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the "Properties," including contract buyers, but excluding those having such interest merely as security for the performance of an obligation.

**Section 7.** "Properties" shall mean and refer to that certain real property described in the Declaration of Protective Covenants, Conditions, and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

### **ARTICLE III: MEETING OF MEMBERS**

**Section 1: Annual Meetings.** The first annual meeting of the members shall be held within one year from the date of incorporation of the Association, and each subsequent regular meeting of the members shall be held in the month of July.

**Section 2: Special Meetings.** Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request from 10% of the members.

**Section 3: Notice of Meetings.** Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen (15) days before such meeting to each member entitled to vote, addressed to the member's last appearing address on the books of the Association, or supplied by such member to the Association. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

**Section 4: Quorum.** The presence at the meeting of members entitled to cast, or of proxies entitled to cast, *one-third (1/3)* of the voting membership shall constitute a quorum for any action except as otherwise provided in the Declaration, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

**Section 5: Proxies.** At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot.

### **ARTICLE IV: BOARD OF DIRECTORS: SELECTION; TERM OF OFFICE**

**Section 1: Number.** The affairs of the Association shall be managed by a Board of not less than three (3), but no more than nine (9) directors.

**Section 2: Term of Office.** The initial Board of Directors shall consist of three (3) directors who shall be appointed by Declarant to serve until the first annual meeting of the members. At that meeting the members shall elect a third of the directors for a term of one year, a third of the directors for a term of two years, and a third of the directors for a term of three years; and at each annual meeting thereafter the members shall elect a third of the directors for a term of three years.

**Section 3: Removal.** Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event, of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the un-expired term of his predecessor.

**Section 4: Compensation.** No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

**Section 5: Action Taken Without a Meeting.** The directors shall have the right to take any action in the absence of a meeting, which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

### **ARTICLE V: NOMINATION AND ELECTION OF DIRECTORS**

**Section 1: Method of Nomination.** Candidates for election shall file a petition of candidacy with the Elections Committee at least three weeks before the annual meetings. The Elections Committee shall provide all members with a ballot containing the names of all bona fide candidates at the annual meeting.

**Section 2: Election.** Election to the Board of Directors shall be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

### **ARTICLE VI: MEETINGS OF DIRECTORS**

**Section 1: Regular Meetings.** Regular meetings of the Board of Directors may be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board.

**Section 2: Special Meetings.** Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days' notice to each director.

**Section 3: Quorum.** A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

### **ARTICLE VII: POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

**Section 1: Powers.** The Board of Directors shall have power to:(a) exercise for the Association all powers, duties and authority vested in or delegated to this Association by law, the Declaration or any Supplementary Declaration and not reserved to the membership by other provisions of these By-Laws or the Declaration.(b) employ a manager, an independent contractor or such other employees as they deem necessary, and to prescribe their duties.

*(Continued on page 7)*

**Section 2: Duties. It shall be the duty of the Board of Directors to:**

- (a) adopt and publish rules and regulations, governing the use of the Common Area and facilities, and the personal conduct of the members and their guest thereon, and to include these in the Book of Resolutions.
- (b) cause to be kept a complete record of all its corporate affairs including the Book of Resolution, make such records available for inspection by any member or his agent and present an annual statement thereof to the members.
- (c) supervise all officers, agents and employees of the Association and see that their duties are properly performed.
- (d) issue upon demand by any member a certificate setting forth whether or not any assessment has been paid and giving evidence thereof for which a reasonable charge may be made.
- (e) designate depositories for Association funds, designate those officers, agents and/or employees who shall have authority to withdraw funds from such accounts on behalf of the Association, and cause such persons to be bonded, as it may deem appropriate.
- (f) hold a public hearing on the proposed annual budget and approve the annual, budget.
- (g) annually set the date(s) assessments are due; decide what, if any, interest rate is to be applied to assessments which remain unpaid thirty (30) days after they become due.
- (h) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of the due date of the annual assessment or first installment thereof.
- (i) cause the lien against any Owner that has not paid within thirty (30) days after the due date notice to be brought against the owner personally obligated to pay the same.
- (j) issue demand by any member a certificate setting forth whether or not any assessment has been paid and giving evidence hereof for which a reasonable charge may be made.
- (k) cause the Common Areas to be maintained.
- (l) procure and maintain adequate liability and hazard insurance on property owned by the Association.
- (m) procure and maintain adequate liability, error and omission insurance for the Director and Officer of the Association.
- (n) enter into mortgage agreements and obtain capital debt financing subject to the provisions of the Declaration.
- (o) appoint such committees as prescribed in Article IX.

**ARTICLE VIII: OFFICERS AND THEIR DUTIES**

**Section 1: Enumeration of Offices.** The officers of this association shall be a president and vice president, who shall at all times be members of the Board of Directors a secretary, and a treasurer, and such other officers as the Board may from time to time by resolution create.

**Section 2: Election of Officers.** The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

**Section 3: Term.** The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless they shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

**Section 4: Special Appointments.** The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

**Section 5: Resignation and Removal.** Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

**Section 6: Vacancies.** A vacancy in any office may be filled with appointment by the Board. The officer appointed to such vacancy will serve for the remainder of the term of the officer he replaces.

**Section 7: Multiple Offices.** The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

**Section 8: Duties. The duties of the Officers are as follows:**

**President:** (a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all promissory notes.

**Vice President:** (b) The vice president shall act in place and stand for the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

**Secretary:** (c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

**Treasurer:** (d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign-all checks and promissory notes of the Association; keep proper books to be made by a public accountant at the completion of each fiscal year; order an audit and report findings to the Board of Directors; shall prepare an annual budget and a statement of income and expenditures to be represented to the membership at its regular annual meeting, and deliver a copy of each to the members.

**ARTICLE IX: COMMITTEES**

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and an Elections Committee, as provided in these By-Laws. In addition, the Board of Director shall appoint other committees as deemed appropriate in carrying out its purpose.

**ARTICLE X: BOOKS AND RECORDS**

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

**ARTICLE XI: ASSESSMENTS**

As more fully provided in the Declaration each member is obligated to pay to the Association annual and special assessments, which are secured by a continuing lien upon the property, against which the assessment is made. Any assessments, which are not paid when due, shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of ten (10) percent per annum, and the Association may bring a lien against the property, and interest, costs and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

(Continued on page 8)

**Lonesome Dove Ranch  
Homeowners' Association  
PO Box 212  
Cameron, MT 59720**

**Lonesome Dove News  
Volume 1, Issue 1**

***Comments, questions, or News?  
LonesomeDoveNews@yahoo.com***

**We are on the web at:  
WWW.LonesomeDoveRanch.ORG  
Check us out!**

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## **BALLOT for Bylaws Approval Inside! VOTE and RETURN!!!!**

*(Continued from page 7)*

### **ARTICLE XII : ASSOCIATION SEAL**

The Association shall have a seal in circular form having within its circumference the words "LONESOME DOVE RANCH HOMEOWNERS' ASSOCIATION".

### **ARTICLE XIII: AMENDMENTS**

#### **Section 1: These By-Laws may be amended.**

- (a) By a vote of two-thirds (2/3) of the Directors at any meeting of the Directors duly called for that purpose, providing notice of the meeting has been given to the members at least fifteen (15) days prior to the annual meeting, and
- (b) At the annual meeting of the members, by a vote of a majority of the members who are voting in person or by proxy.

**Section 2:** In the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

### **ARTICLE XIV: MISCELLANEOUS**

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year.

### **ARTICLE XV: ARCHITECTURAL REVIEW BOARD**

**Section 1: Composition.** The Architectural Review Board shall be comprised of a chairman and two or more members. A quorum for Review Board action shall be three members.

**Section 2: Duties.** It shall be the duty of the Architectural Review Board to regulate the external design, appearance, location and maintenance of the Properties and of improvements thereon, to regulate such uses of property as described in the Declaration.

**Section 3: Procedures.** The Committee shall formulate general guidelines and procedures and submit them for confirmation to the Board of Directors. Such guidelines and procedures shall be considered adopted policy of the Board unless rejected by a two-thirds (2/3) vote of the Board within thirty (30) days of the date of submittal. The adopted guidelines and procedures shall be incorporated in the Book of Resolutions and the Committee shall act in accordance with such guidelines and procedures.

### **ARTICLE XVI: INDEMNIFICATION OF OFFICERS AND DIRECTORS**

Each officer and director of the Association in consideration of his services as such, shall be indemnified by the Association to the extent permitted by law against expenses and liabilities reasonably incurred by them in connection with the defense of any action, suit, or proceeding, civil or criminal, to which he may be a party by reason of being or having been a director or officer of the Association. The foregoing right of indemnification shall not be exclusive of any other rights to which the director or officer or person may be entitled by law, or agreement, or vote of the members or otherwise. [End of Proposed BYLAWS]