

March 2, 2020

Mr. Dennis Greany
Missouri River & Eagle Canyon Ranches Landowners Corporation
PO Box 162
Cascade, MT. 59421-0162

Dear Dennis

We received your letter dated February 13th, 2020, and have some questions, comments, concerns and request(s).

On the first page of your letter you state “The first few meetings have been dedicated to making sure everything is in order before we move on to problems that need to be resolved”.

We assume you are referring to Meetings of the Board of Directors. We are requesting a copy of all meeting minutes from the Board of Directors meeting(s) including the budget meeting on January 22, 2020 you reference.

On the first page of your letter you also state “This is putting a burden on that landowners who are paying, requiring them to pony up approximately \$100-200 per year to cover the people who aren’t paying”. It states “that landowners”. What landowners are you referring to? We have never been asked to “pony up” any additional funds over the 23 years we have owned our property.

Could you elaborate on your statement and provide documentation that would indicate landowners are paying additional Fees other then the usual Bi-yearly annual fees.

On the second page of your letter you discuss budget issues. We have some questions concerning the amounts budgeted. First there are legal fees of \$9000.00. Could you please address how the legal fees are to be used and how the figure \$9000.00 was decided upon. In addition there is \$2000.00 budgeted for “Web Page Development & Maintenance”. Why is the amount so high? I host several websites and my costs are about \$500.00 per year, and this amount is high since I subscribe to services I seldom ever use. Anyone with average computer skills can design, develop, publish and maintain a website. A website design engineer is not needed unless you are planning a very sophisticated website which in this case would not be needed. An example of a simple but effective website is used by the Dearborn Landowners Association (www.dearbornloa.com).

On the third page you make the statement “As you can see, the budget gets better in 2021”. The budget may get better however it appears the expenditures go up considerably.

You further indicate in Section “2) Roads and Culverts” paragraph on page 3, “We feel that more of our resources should be invested into permanent repairs of bad spots and blading areas that need it.” What type of permanent repairs is the Board planning? As far as more resources being invested into road repair it appears financial resources are being directed in the 2021 budget to Reserve Contributions, continuing Website expenses and Legal Fees rather than into road repair and maintenance. Is the Board anticipating using Valley Excavating as has been done in the past for road work and culvert work? They have demonstrated in the past to be unprofessional and unreliable.

The fourth page of your letter contains some very concerning statements.

In section “3) Covenant Enforcement”. It appears what you have done in this section as in section “4) Collection of Past Due Assessments” is to issue a threat(s) to landowners of legal action and to use the funds collected from the landowners, which you claim are to be invested in road repair and maintenance on page 3, which instead appear actually to be used in legal actions against landowners you profess to represent (“This will cost money, money we have never had in the past”). You also claim that properties that are an affront to the personification of nature (Mother Nature) are now in violation of the Covenants. This is a subjective comment. However if this is one of the criteria to be used to determine covenant violations then any covenant is subject to personal feeling, tastes, or opinions which lends to speculation the Board of Directors are now involving themselves in environmental aesthetic issues instead of the business of running the corporation in accordance with the By-laws and Covenants.

In section 4) Collection of Past Due Assessments you once again make threats of legal action. What is the Board intention if a landowner is subject to legal action in which the court does not find for the plaintiff (Missouri River Ranches & Eagle Canyon Ranches Landowner Corporation) but instead rules in the defendants favor and the defendant sues for court costs, attorney fees and possible punitive damages. Is it the intention of the Board to require the landowners to pay the judgment which you brought initially? This amount could be in tens of thousand of dollars.

Section 5) of your letter states “Even the current amount we have budgeted is not enough to keep the right-of way clear of noxious weeds”. It is the responsibility of each landowner to control the weeds on his/her/they property. It is not a function of the Corporation. If a landowner chooses not to perform weed control on their property there are options to force weed control. Spraying weeds directly adjacent to a roadway when there are acres of noxious weeds a few feet away is counter productive. Allocating more funds for weed control without addressing the larger issue is a poor decision.

It would appear from the State of Montana Corporate filing in November 2019 and the Amended By law and Covenant filing with Lewis and Clark Clerk and Records Office in January 2020 that Ms. Cherche Prezeau of the law firm Christensen & Prezeau is representing the Missouri River and Eagle Canyon Ranches Landowners Corporation. Would it not be a conflict of interest for Ms. Prezeau to represent the Corporation and Mr. Pieloch at the same time?

Would you please explain why Ms. Prezeau is being utilized as the Corporation attorney, if she is still representing Mr Pieloch also.

A problem in the past has been the lack of knowledge as to the responsibilities and duties of the Members of a Board of Directors.

In a January 3rd, 2019 letter from Ms. Prezeau to Mr. Wade Crittenden and Mr. Don Woody she states in part “The Board should emphasize to incoming Directors they should read and understand the Bylaws and understand their fiduciary obligations to the members. Incoming Directors also should understand that adhering to Board governance procedures is essential to retain the corporate shield and protect Directors from personal liability. One suggestion is to develop a “plain English” checklist that will inform the Board of governance requirements and protocol”.

What has been done to familiarize the Board Members with their responsibilities and duties as outlined by Ms. Prezeau?

We are disappointed that the Board of Directors has invested so much time and effort into spending money, raising landowner fees, and the other actions as outlined in your letter but has failed to provide the landowners the Meeting Minutes from the September 2019 meeting, the Amended By-laws, the revised Covenants and has utterly failed to provide information as to how to communicate with the board.

I have received numerous emails through the email link on my website, (landownersgroup.com) from landowners in the Eagle Canyon and Missouri River Ranches. ALL inquires are related to contact information for the Board of Directors, where to send their landowner fees, questions about road work, etc, etc.. I can only direct them to the addresses listed with the state of Montana Corporate filing. I know of one landowner who wrote a letter to the Board in December and still had not received a reply from the Board at the end of January.

We have taken it upon ourselves to post the amended By laws and amended Covenants on the landownersgroup.com website, since the Board seems unable to post important information for the landowners on a website. I also placed a sign on the signage board at Ordway Drive, Charbonneau Drive, and North Fork Road to alert folks of the availability of the By laws and covenants.

On February 19th 2020 we sent an email to the email address shown on the Invoice we received from the Missouri River & Eagle Canyon Landowners Corporation dated 1/28/2020, inquiring if the email address was valid and active, and asked for a response to our email. We sent another email on February 21, 2020 from a different email address asking again if the email address was valid and active. On February 27th, 2020 we received a reply from Ms. Marie Crittenden indicating “the email is active, though not necessarily checked on a daily basis”. Since the email is checked so infrequently and there is no phone contact information, would you please explain how a landowner in the event of an emergency is to contact the Board in a timely manner.

One of the first things the newly elected Board could have done and should have done was to establish a website/email address. A website can be set up in 24 to 72 hours and cost about \$23.00 per month (\$276.00 per year far less than the \$2000.00 proposed in the budget) in addition a Facebook Group page could have been developed which would have taken no more than a couple of hours at best to set up, or a chat board could have been added to the website. Setting up an email address that is checked regularly and a few signs with contact information placed on the existing signage boards located at the entrances to both areas are quick easy ways to provide communication resources to the landowners. If we can place a 8 1/2 by 11 inch paper sign to notify the landowners of landownersgroup.com website on a signage board at Ordway Drive, Charbonneau Drive, and North Fork Road we see no reason the Board could not do the same, unless the Board is just too busy raising our landowner fees 400 percent and preparing lawsuits.

We have withheld payment of our Landowner Fees because the funds have been poorly utilized in the past and trying to get information is still just about impossible.

We have no problem with an increase in Landowner Fees, however, until we receive an adequate response to this letter, a copy of the minutes from the 2019 Annual Meeting, Board Meeting Minutes as previously requested, the name(s) of the President, Secretary and if applicable the Treasurer of the Missouri River Ranches & Eagle Canyon Ranches Landowners Corporation along with reliable contact information for the Board of Directors, we will continue to withhold our payment(s). As you may or may not be aware the Corporation and the Board of Directors have certain legal responsibilities to provide Corporate Members information set forth in Montana State Statutes.

It is our recommendation that the Board of Directors hold a Special Meeting by June 1st in light of the sweeping changes being made to allow input from the landowners.

We would appreciate a response to our concerns as outlined in this letter within 14 days.

Sincerely

Linda and Russ Greaves



Mailing Address:

Linda Greaves



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