

BIG SKY OWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS RESOLUTION

RESOLUTION: Big Sky Owners Association Noxious Weed Management

Date of Board Adoption: November 21, 2025

Resolution No.: 2025-01

Effective Date: November 21, 2025

RESOLUTION

WHEREAS, the Big Sky Owners Association, Inc. ("BSOA") adopted Amended and Restated Bylaws for the Big Sky Owners Association, Inc. on July 17, 2020 at its Board meeting and recorded with the Office of the Gallatin County Clerk and Recorder (Document #2732939, May 10, 2021) and the Office of the Madison County Clerk and Recorder (Document #197531, May 28, 2021), and as subsequently amended ("Bylaws"); and

WHEREAS, the Bylaws (Article 3, Section 3.2.1) assigns the Board of Directors ("Board") all of the powers and duties necessary for the administration of the Association's affairs and for performing all responsibilities and exercising all rights of the Association as set forth in the Governing Documents and as provided by law; and

WHEREAS, the Bylaws (Article 3, Section 3.2.3) further authorizes the Board to make and establish rules and regulations for the governance of facilities and the performing of such functions, the taking of such action and operating in such areas as are within the Association's Jurisdiction; and

WHEREAS, the Bylaws (Article 3, Section 3.2.12) further authorizes the Board to require compliance with and enforce the Declarations which by Article 3, Section 3.2.14 are made a part of the Bylaws; and

WHEREAS, the Bylaws (Article 3, Section 3.3) further authorizes the Board, at its discretion, to appoint Persons (including corporations, partnership, a trustee or other legal entity as that term is defined at Article 1, Section 1.3.20) to generally supervise and control the business of the Association and to delegate certain powers, duties and responsibilities to such Persons. The manner of selection, the qualifications and the scope of duties shall be determined by the Board; and

WHEREAS, per the State of Montana Local County Weed Act, Title 7, Chapter 22, Part 21, it is unlawful to permit noxious weeds to propagate; and

WHEREAS, the uncontrolled spread of noxious weeds from unmaintained properties creates a burden on neighboring landowners, degrades wildlife habitat, reduces biodiversity, and compromises the natural character and ecological integrity essential to the community's quality of life; and

WHEREAS, the Board has determined a need to adopt a uniform policy establishing noxious weed management standards and regulations for all properties within the BSOA's Jurisdiction to protect natural habitats, prevent the spread of invasive species, maintain property values, and ensure compliance with state and county weed management regulations.

NOW THEREFORE, be it resolved that:

Per the Montana Noxious Weed Control Act Owners are responsible for noxious weed control on their individual Lots. The Act makes it unlawful for landowners to permit noxious weeds to propagate on their property, requiring management through integrated methods like mechanical, chemical, and biological controls.

Noxious weeds are non-native introduced plants species that are capable of out-competing native, desirable species. Invasive species negatively impact the ecosystem.

Noxious weed management is an important and compulsory responsibility for property owners to prevent the establishment and spread of invasive plant species that degrade native ecosystems, reduce wildlife habitat quality, and diminish property values.

NOXIOUS WEED MANAGEMENT

To control noxious weeds in Montana, landowners must manage them on their property with a rapid and consistent response. Key steps include identifying the specific weed, creating a land management plan, and applying control methods like herbicides, mechanical removal (mowing, pulling), or biological control. The ideal management timeframe depends on the specific weed species; identification of target weeds and their growth cycle can determine the best management strategy.

SITE DISTURBANCE

Site disturbance and topsoil importation is an opportunity for noxious weeds to become established on construction sites within the BSOA jurisdiction. Applicants are required to provide a noxious weed management plan that identifies short-term and long-term strategies to ensure Properties within the BSOA continue to be weed-free. These weed management plans shall comply with the Montana local County Weed Act, Title 7, Chapter 22, Part 21.

Additional information on Noxious Weeds and Management of Invasive Plants can be found at:

<http://www.madison.mt.gov/departments/weed/weeds.asp>

<https://www.gallatinmt.gov/weed-district>

www.agr.mt.gov/agr/producer/weeds

www.agr.mt.gov/agr/business/pesticides

www.deq.mt.gov/pcd/wpb

www.npic.orst.edu

www.pesticides.montana.edu

<https://www.mtweed.org/weeds/weed-id/>

<https://www.mtweed.org/weeds/noxious-weed-prevention/>

ADMINISTRATION AND INTERPRETATION

The Board may contract or delegate authority to a third party for purposes of enforcing the provisions set forth herein.

This Resolution shall be interpreted by the Board; its decision is final.

This Resolution supersedes all other Policies/Resolutions with regard to Noxious Weed Control and enforcement provisions pertaining to such policies.

ENFORCEMENT, VIOLATIONS AND FINES

The Association, acting through its Board of Directors, shall have the right to enforce this Resolution and to issue fines against the Owner for enforcement under this Resolution.

Enforcement Procedure and Fines

1. **First Violation of any section shall result in a:** Written Notice.
2. **Second Violation of any section shall result in a:** Second Written Notice.
3. **Third and Subsequent Violations of any section shall result in a:** \$100.00 fine.

Subsequent Violations

If staff are unable to resolve a violation the Board has the discretion to levy fines either on a per violation basis or on a per day penalty basis. Fines on a per day basis shall not exceed \$100.00/day for properties of single-family residences or \$250.00/day for properties of multi-family residences and commercial buildings/developments. Any fines issued for enforcement under this Resolution shall begin to accrue as of the date and hour of the issuance of Written Notice.

Fines issued for enforcement under this Resolution shall not exceed \$50,000 per violation for properties of single-family residences or \$100,000 per violation for properties of multi-family residences and commercial buildings/developments.

For each violation, the Owner shall be provided written notice and documentation of the violation and an opportunity to appear before the Board, at the Owner's request, at a regular or special meeting for the purpose of contesting the fine. If the Owner chooses to contest a fine issued for violation of this Resolution, the matter shall be heard by the Board in accordance with the Enforcement Procedures Resolution then in effect. Costs incurred by the Association for enforcing the provisions of this Resolution (inclusive of giving notice of the violation), collection costs, attorneys' fees or any fine assessed against the Owner shall be paid by the Owner. Such fine shall be payable to the Association within thirty (30) days from the date of the violation notice. Fines not paid within sixty (60) days of the due date specified in the violation notice may result in the Association bringing an action at law or equity or both, in accordance with Section 7.6 of the Bylaws. Money from fines collected under this Resolution shall be deposited with the Association and may be used at the discretion of the Board.

Written Notice

Written notice as described in this Resolution shall be given either by email, personal delivery, or deposited in the United States mail addressed to such Owner at the address given to the Association by him/her for the purpose of Association records. Such notice, if mailed, shall be deemed given and received four (4) days after being so deposited in the United States mail in the manner aforesaid.

Discretion of Enforcement

In the event the Association, in its discretion, determines not to take enforcement action with regard to a particular case, such a decision shall not be deemed a waiver of the right of the Association to enforce such provision at a later time under other circumstances or preclude the Association from enforcing any other covenant, restriction or rule, nor shall it preclude any Owner from taking action at law or in equity to enforce the Governing Documents. In the event an Owner decides to take action at law or in equity to enforce the Governing Documents after the Association has issued its written decision not to take action, the Association is not liable to the Owner for any costs or attorney's fees incurred in taking such action.

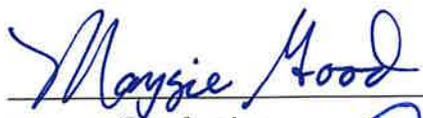
The Board is the sole interpreter of this Resolution and decisions by the Board are final.

This Resolution supersedes all other Board Policies/Resolutions with regard to enforcement procedures for Governing Documents specifically as they pertain to noxious weed management. However, it is the intent of the Board that each of the enforcement mechanisms and penalties described in this Resolution shall be in addition to and not in lieu of any other enforcement mechanisms or penalties that may be available to the Association, including but not limited to the Enforcement Procedures resolution Amended on December 19, 2019, effective December 20, 2019, Resolution No. 2019-02. Without limitation of the foregoing, the Association may seek an injunction to restrain a person from any further violation of this regulation, such remedy being in addition to all other remedies available at law, equity or otherwise.

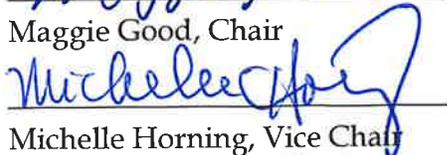
DATED January 16, 2026

BOARD OF DIRECTORS

BIG SKY OWNERS ASSOCIATION, INC.



Maggie Good, Chair



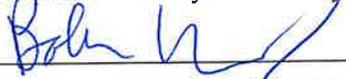
Michelle Horning, Vice Chair



Kenny Holtz, Treasurer



Barbara Rowley, Secretary



Vanessa McGuire, Director



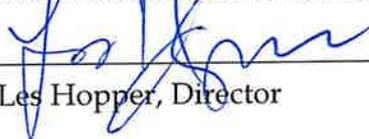
Ernie Chappell, Director



Joe Swiatek, Director



Sarah Turner-Malhotra, Director



Les Hopper, Director