

GALLATIN HISTORICAL SOCIETY & PIONEER MUSEUM

317 W. MAIN STREET • BOZEMAN, MT 59715

www.pioneermuseum.org • 406-522-8122 • fax:406-522-0367

April 25, 2012

Jecyn Bremer,

Deputy County Attorney

1709 W. College, Ste. 200

Bozeman, MT 59715

Dear Jecyn:

This letter follows up our phone conversation of this morning regarding the Gallatin Historical Society (“GHS”) and an appraisal relative to the Save America’s Treasures Grant application (“SAT”). The County has stated that it will require the GHS to obtain an appraisal prior to a vote on whether to proceed with the grant application, and has cited several statutes in support of this requirement. Those statutes are MCA 7-8-2202, 2211, 2214 and 2216.

On their face the statutes do not support the County’s appraisal requirement. MCA 7-8-2202 clearly states that an appraisal is required when the County is going to purchase a conservation easement. In this case the County would be granting an easement, not purchasing one. MCA 7-8-2211 addresses the sale or exchange of County property. In this instance there is no sale or exchange, but merely the granting of an easement of finite duration. Both MCA 7-8-2214 and 2217 also relate to the sale of property which is not the case here.

There is also the issue of what kind of appraisal the County is requiring. Is it a simple appraisal of the building that can be performed by a local appraiser? Is it a business valuation appraisal? Is it an appraisal of the building’s historic value relative to a conservation easement? All we’ve been told is that the GHS must “get an appraisal.” Please clarify specifically the type of appraisal required and the information the County is hoping to gain from it.

You indicated that the County is adamant about the appraisal requirement despite the fact that the statutes do not support it. Depending on the type of appraisal, the requirement may be onerous for the GHS, as we have learned that there are no licensed conservation easement appraisers in Montana, and the cost would likely exceed \$10,000. If the County insists on that type of appraisal, the GHS will likely be unable to pursue this excellent SAT grant opportunity.

continued



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I wish to present the board with the County's opinion on these issues, and would request that your office respond to this inquiry in writing. At that point the board can decide how it will proceed. Thank you for your attention to this matter.

Sincerely,

Kathy M. VanDyke
President, Gallatin Historical Society
And Pioneer Museum