

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS**  
**Monday, March 21, 2016, at 9:00 a.m.**  
**State Capitol, Room 303**  
**Helena, MT**

**Please note:** *The Land Board has adopted the audio recording of its meetings as the official record, as allowed by [2-3-212, MCA](#). These minutes provide an abbreviated summary of the Land Board discussion, public testimony, action taken, and other activities. The time designations listed are approximate and may be used to locate the referenced discussion on the audio recording of this meeting. Access to an electronic copy of these minutes and the audio recording is provided from the Land Board webpage at <http://dnrc.mt.gov/LandBoard>. The written minutes summary, along with the audio recordings, are listed by meeting date on the Land Board Archive webpage.*

**Members Present**

Governor Steve Bullock  
Attorney General Tim Fox  
Commissioner of Securities and Insurance Monica Lindeen (via telephone)  
Secretary of State Linda McCulloch  
Superintendent of Public Instruction Denise Juneau

**Members Absent**

None

**Testifying Staff**

John Tubbs, DNRC Director

**Attachments**

Related Materials, Attachment 1 – sign-in sheet  
Related Materials, Attachment 2 – Sam Bolton

**Call to Order**

00:00:02 Governor Bullock called the meeting to order.  
00:00:08 Ms. McCulloch moved to approve the February 16, 2016, minutes. The motion was seconded by Ms. Juneau and carried unanimously.

**Business Considered**

**316-1 Timber Sales:**

**A. Good Goat**

**B. Rhodes Draw**

**C. Castle Rock**

00:00:22 Mr. Tubbs gave an overview of item 316-1A through 316-1C.  
00:02:13 Governor Bullock

00:02:24 Ms. Juneau moved to approve item 316-1A through 316-1C. The motion was seconded by Ms. McCulloch and carried unanimously.

**316-2 Administrative Rule Adoption – DNRC Conservation Strategies**

00:02:52 Mr. Tubbs gave an overview of item 316-2.  
00:03:21 Governor Bullock

00:03:28 Mr. Fox moved to approve item 316-2. The motion was seconded by Ms. Juneau and carried unanimously.

**316-3 Communitization Agreements:**

**A. Buckley 1-9H**

**B. Marla-Hill 4HSU**

**C. Jar 1-28H**

**D. Christopher 25-36 1H**

00:03:59 Mr. Tubbs gave an overview of item 316-3A through 316-3D.

00:04:13 Governor Bullock

00:04:22 Ms. McCulloch moved to approve item 316-3A through 316-3D. The motion was seconded by Ms. Juneau and carried unanimously.

**316-4 Oil and Gas Lease Sale (March 1, 2016)**

00:04:47 Mr. Tubbs gave an overview of item 316-4.

00:05:02 Governor Bullock

00:05:21 Ms. Lindeen moved to approve item 316-4. The motion was seconded by Mr. Fox and carried unanimously.

**316-5 Land Banking Parcels: Preliminary Approval for Sale**

00:05:48 Mr. Tubbs gave an overview of item 316-5.

00:06:11 Governor Bullock

00:06:24 Ms. McCulloch moved to approve item 316-5. The motion was seconded by Ms. Juneau and carried unanimously.

**316-6 Land Banking Parcels: Set Minimum Bid for Sale**

00:06:44 Mr. Tubbs gave an overview of item 316-6.

00:07:25 Governor Bullock

00:07:31 Ms. McCulloch moved to approve item 316-6. The motion was seconded by Ms. Juneau and carried unanimously.

00:07:58 Mr. Tubbs

**316-7 Easements**

00:08:12 Mr. Tubbs gave an overview of item 316-7.

00:08:44 Governor Bullock

00:08:51 Mr. Fox moved to approve item 316-7. The motion was seconded by Ms. McCulloch and carried unanimously.

**General Public Comment**

00:09:32 Sam Bolton

**Adjournment**

00:11:01 Adjournment

PRESIDENT

ATTEST

/s/ Steve Bullock  
Steve Bullock, Governor

/s/ John E. Tubbs  
John E. Tubbs, DNRC Director



To: Land Board Commissioners, Advisors and DNRC

Here is the next chapter in the ongoing, sad saga of Lots #11, #12 and #13 in Morrell Flats area of Seeley Lake. Better known as the issue that is just too blatantly outrageously unfair to go away.

To refresh your memory, Lot #13 was appraised at \$50,000.00. Lessee purchased said Lot in the summer of 2014. Lot #12 was appraised at \$15,000.00 and has not sold. Lot #11 was appraised at \$50,000.00. Lessee purchased this Lot January 2016. In case you did not notice, these lots are in a row, #11, #12 & #13. The vacant \$15,000.00 lot, in between the two leased lots that were appraised at \$50,000.00. Every one that looks at this, with the exception of DNRC and Land Board members exclaim "how can this be"? Well let's look at some possibilities.

1. Is there a big difference between Lots? No. They are all three basically the same. The differences in appearance results from the fact that the two leased lots have some maintained lawn areas. The vacant lot has many trees, brush and unmaintained areas. Much like any vacant lot, so its appearance is quite different.
2. The Appraiser was not given the proper instructions. Even though the written instructions (rules) are quite clear in stating that the land is to be "viewed as vacant, raw land, with no improvements". It is possible that she had trouble doing this and this was not emphasized enough by her instructors (DNRC).
3. Is it possible our appraiser was overly eager to please her client (DNRC). Did the fact that she received \$500.00 extra for Lot #12 and was rewarded with a \$10,000.00 Contract to do a few other appraisals have any influence? I think this is a definite possibility.
4. Did the fact that she had appraised Lot #13 a year earlier for \$50,000.00 have an influence?
5. Now there is the question of the water table level which has been deemed too high to permit septic systems on Lot #12 (vacant). Does this explain the difference in values? The answer is no. They all three have the same water table level and all three lots would be deemed ineligible for septic systems by todays requirements. Just an aside here. The standard for water table levels is 4 feet below surface during the highest water levels. Late spring. This whole area has very high levels, usually right near the surface at times. This is due to the fact they are in a flood plain, or some such reason.
6. Could all of this be just a huge mistake on the part of DNRC and the appraiser? Could be. From things Mr. Tubbs has said to me, I can tell you there focus is very narrow. Money, money, money with no regard for us human type people! They may be just so zealous in their quest for the almighty Dollar that they don't see the obvious unfairness to the people that have been faithful lessees for generations.

I could go on and on with the possibilities but like I said at the outset, this situation is just so blatantly wrong , it is not going to go away. DNRC is guilty of fraudulent and deceptive practices and the Land Board Members are guilty of aiding and abetting by their approval. Nobody involved can claim ignorance.

Just an aside – Personally I think it would be good for everyone concerned to not involve the media, but that is up to you.

Until next time, I remain you loyal Montanan.

Regards,

A handwritten signature in cursive script that reads "Samuel Bolton".

Samuel Bolton

P. S. Just to show you how democratic I am, my wife and a friend attended a fundraiser function for our favorite governor (Steve Bullock).

March 21, 2016