

**GUNNISON COUNTY BOARD OF EQUALIZATION
MEETING MINUTES
July 21, 2011**

The July 21, 2011 Board of Equalization meeting was held in the Planning Commissioners Meeting Room at the Blackstock Government Center at 221 North Wisconsin, Gunnison. Present were:

Hap Channell, Chairperson
Phil Chamberland, Commissioner

Paula Swenson, Vice-Chairperson
Bobbie Lucero, Clerk to the Board

County Assessor Kristy McFarland, Deputy Assessor Vicki Hildreth and Senior Appraiser/Analyst Appraiser George Lickiss and others were present and participated as indicated in the text.

NOTICE: The Petitioner's and Assessor's exhibits for each case are located in their individual Board of Equalization files.

CALL TO ORDER: Chairperson Channell called the July 21, 2011 meeting of the County Board of Equalization to order at 8:31 am. Chairperson Channell explained the roles, rights and responsibilities of the Board and the Petitioner during each hearing where a Petitioner and/or a Petitioner's representative was present, either in person or via telephone. Appeal notices were also provided to each Petitioner.

**CBOE#41
Anne Hausler**

Petitioner Gary Hausler was present for discussion. Gunnison County Appraiser Bob Blackett summarized the subject property and the valuation of \$246,040. Petitioner commented that this home was built in 1940, and they are currently building a new roof, and installing new windows. Petitioner expressed he thinks this value should not be this high. The board reviewed the provided documentation. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny the appeal for CBOE #41. Motion carried unanimously.

**CBOE #42 & #45
Lost Miner Enterprises, LLC.**

Petitioner Gary Hausler was present for discussion. Gunnison County Appraiser Bob Blackett summarized the subject property. Deputy Assessor Hildreth explained the formula and figures that are supplied by the Division of Property Taxation. Petitioner reviewed the information provided by the Assessor's Office. Petitioner stated there is an error in the classification, and they use to produce high quality horses hay, but the market has evaporated due to the economic down turn. Petitioner commented this valuation is an error. There was a discussion on prices for the agricultural land. Deputy Assessor Hildreth explained that they must use the states regulations, and they are required to use income rate formula on all agricultural land to calculate the value of the property. Petitioner stated that the hit on income from the property went down in 2006 and 2007, and he remains to claim the value is an error by the State. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson, to deny the appeal for CBOE#42 and CBOE#45. Motion carried unanimously.

**CBOE #43
Lost Miner Enterprises, LLC.**

Petitioner Gary Hausler was present for discussion. Appraiser Bob Blackett explained how they calculated their valuation and comparables. The subject property was built in 1990. Blackett reviewed all three homes on the property. The board reviewed the Notice of Determination, and the Petitioner had estimated the house to be valued at \$870,000, for only the house. The Assessor's Office valued it at \$762,234, for only the house. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE#43. Motion carried unanimously.

**CBOE #44
Lost Miner Enterprises, LLC.**

Petitioner Gary Hausler was present for discussion. Appraiser Bob Blackett summarized the subject property, which is 164 acre plot of agricultural land. There is one home built on the

property, built in 1946 and it is in below average condition. Blackett summarized the three examples provided as comparables. Based off of their cost approach and comparables, Blackett recommended that the residential value be adjusted from \$206,840 to \$130,205. Making the total valuation of the subject property \$205,880. Hausler commented he is still not happy with the recommendation for adjustment from Blackett. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust the value of CBOE#44 to \$205,880. Motion carried unanimously.

**CBOE#46 and CBOE #47
Bonanza Development**

Petitioner Gary Hausler was present for discussion. Appraiser Bob Blackett summarized the subject property that is in the Ponderosa subdivision. Petitioner commented that the property is in a mobile home park, which is built for homeowners to be able to own the land their home is on. Petitioner mentioned in addition to these two properties, they own 5 other lots in the subdivision. Petitioner commented the assessors valued the subject properties at \$29,000, while other mobile home lots in the subdivision were valued at \$10,790. Blackett explained residential improved lots receive the market value, and the subject properties already have the improvements on the lots. Blackett mentioned the lots have the same amenities, and vacant lots have a discount. Petitioner stated that the forms are confusing because they do not mention a discount. Petitioner suggested the form explain that there is a discount so that they are aware of the discounted value for the vacant land. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson, to deny CBOE #46 & #47. Motion carried.

**CBOE#66
Steve Jenkins**

Petitioner Steve Jenkins and Cindy Jenkins were present for discussion. Appraiser Bob Blackett summarized the subject property. The subject property is in average condition and built in 1970. Blackett summarized the three examples provided as comparables. Petitioner commented the comparables square footage was not close to the subject property's square footage. There was a discussion on the examples provided by the Assessor's Office, and also a discussion on residential vs. commercial property. Blackett explained how land value is established on the size of the lot and that the alley access issue does affect the value of the sales, and they used comparables without alley access. Swenson thinks there is justification because of the access. Commissioner Swenson thinks they should value it based off of the comparables of \$139/square foot. **Moved** by Commissioner Swenson, seconded by Chairperson Channell, to adjust CBOE #66 to the value of \$254,650. Motion carried unanimously.

**CBOE#69
Michael Potoker**

Petitioner Louis Costello and Michael Potoker were present for discussion. Appraiser Bob Blackett summarized the subject property, which is commercial property in Alpine, valued at \$799,690. Blackett summarized the three examples provided as comparables. Petitioner Costello mentioned that the original cost to build was \$50/square foot. Blackett explained how they used the time adjusted sales price, and there were no recent sales of land in the Riverland subdivision that is why they used the comparables of commercial sales in Gunnison. Blackett commented that due to the mixed use of the property they compare them to residential and commercial property (mixed use properties). Commissioner Swenson commented that they should take into consideration the income approach and not the market approach. Blackett commented that the time adjustment showed the line was flat from no sales in the assessed years. Commissioner Swenson averaged comparables provided by the Assessor's Office, and also averaged the market and income approach given. Commissioner Swenson weighted to include the market approach of the residential portion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust value to \$677,360. Chairperson Channell commented that the calculation for the income approach is weak. Motion carried (Chairperson Channell votes against the motion).

**CBOE#70
Cynthia Smock**

Petitioner Cindy Smock was present for discussion. Appraiser Bob Blackett summarized the subject property. Blackett summarized the three examples provided as comparables. Petitioner

commented that there have not been sales in recent years, and she wondered why her property value has gone up in the past 2 years when the economy has gone down. There was a discussion on how the Assessor's Office selects comparables for examples to value her property. Deputy Assessor Hildreth commented that the list of sales provided are all being used to assess her value, and all sales are comparables to establish differences and similarities. Petitioner commented that she would like the adjustment to be lowered, because it has been raised \$300,000 in the last 2 years. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson, to deny the appeal for CBOE #70. Motion carried unanimously.

**CBOE#2
Equirent, LLC.**

Petitioner was not present for discussion. Senior Appraiser Lickiss summarized the subject property that is valued at \$191,090. Lickiss summarized the three examples provided as comparables. **Moved** by Chairperson Channell, seconded by Commissioner Swenson, to deny the appeal for CBOE #2. Motion carried unanimously.

**CBOE#24
John Ferrell**

Petitioner John Ferrell was present for discussion via conference call. Senior Appraiser Lickiss summarized the subject property that is valued at \$356,940, the property is in good condition & built in 2006. Lickiss summarized the three examples provided as comparables. Ferrell commented that the units were sold as "turnkey packages" for \$18,373.53. Ferrell thinks that the value is unfair because it does not take into account views and location.

Lickiss explained that when a sale is recorded there is a documentary fee, and that is what the Assessor's Office bases their value on. They send out follow up letters asking if there were any additional package materials, which is when they will subtract them from the value. They base off of square footage, not volume. They do take into consideration location of floor and side of building. Views are subjective, and they try to take that into consideration if it is provided in the analysis. Lickiss explained that you must provide the documentation at purchase for this to be taken into consideration, and if no list is provided at the sale, all value will be place on the real property.

Chairperson Channell explained that the purchaser must supply this information at the time of sale, and they cannot go back in time and consider the amount if the form was not filled out and turned in. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny the appeal for CBOE #24. Motion carried unanimously.

**CBOE#16
Ganzarama Condo, LLC.**

Petitioner Sam and Rhonda Ganz were present for discussion. Senior Appraiser Lickiss summarized the subject property, and commented that they had to re-measure the complex. Lickiss summarized the three examples provided as comparables. Petitioner provided comparables which they discussed are similar in square footage and amenities. Petitioner commented that the parking garage is collapsing and is not useable. One of the options is to tear down the garages for \$50,000. Lickiss commented that the value took into consideration the condition of the garages. Petitioner would like them to consider that each unit is different. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson, to deny the appeal for CBOE #16 based on the information reviewed by example/comparable #1. Motion carried unanimously.

**CBOE#40
Renee Fitch**

Petitioner was not present for discussion. Senior Appraiser Lickiss summarized the subject property and the three examples provided as comparables. Board pointed out the comparables provided by the petitioner are after the timeline, and con not be taken into consideration. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny the appeal for CBOE #40. Motion carried unanimously.

CBOE#10
David Leinsdorf

Petitioner was not present for discussion. Senior Appraiser Lickiss summarized the subject property and the three examples provided as comparables. Board reviewed a letter David Leinsdorf sent for the hearing. Appraiser Lickiss pointed out that Petitioner's comparables provided are not commercial condos. The examples provide by the Assessor's Office are commercial condos. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny the appeal for CBOE #10 based on the information provided. Motion carried unanimously.

CBOE#13
David Primus

Petitioner David Primus was present for discussion. Senior Appraiser Lickiss summarized the subject property, which is average quality and condition and built in 1981. Appraiser Lickiss summarized the three examples provided as comparables, which are located in North Elk Meadows and Gunnison River Filing. Petitioner commented that his house went up 7%, but his next door neighbor's house went down 4%, which is a newer home. Petitioner stated the valuation process should be looked at because it doesn't seem consistent and his assessment is high. Appraiser Lickiss pointed out that one of the Petitioner's comparables is a factory built home and was moved to the site, those properties are valued less. There was a discussion on modular home sales prices and why they sell for less. Chairperson Channell commented the process has been honored, and the Assessor's Office has honored the state statute. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE #13 based on the information provided. Motion carried unanimously.

CBOE#17
David Rhodes

Petitioner David Rhodes was present for discussion. Senior Appraiser Lickiss summarized the subject property. Lickiss summarized the three examples provided as comparables. Petitioner provided documentation of explanation. Petitioner commented that older homes went up in value and newer home decreased in value. Appraiser Lickiss commented about the qualities of the homes the Petitioner provided and explained how the Assessor's Office analyzes sales and how quality is involved. Appraiser Lickiss went through the chart to analyze what quality his home is at. After reviewing the chart, Appraiser Lickiss recommended to change quality of construction to average. Lickiss will make the correction in their database. **Moved** by Commissioner Swenson, seconded by Chairperson Channell, to adjust CBOE #17 value to \$271,660 based on reclassification of building quality from good to average. Motion carried unanimously.

CBOE#18
Charles Mansfield

Petitioner Beth and Charles Mansfield were present for discussion. Senior Appraiser Lickiss summarized the subject property. Lickiss commented that after reviewing information the Mansfield's provided, he suggests lowering the value to \$67,600. Lickiss explained that he used multiple regression analysis to arrive at the \$47,300 base value. Multiple regression analysis is a statistical method of a group of sales with attributes on a sale (drive way, trees, utilities, etc.). The \$47,300 is applied to all lots in Arrowhead for the base value.

Petitioner commented that the septic system they installed is now non-compliant because the County has changed their rules, and now any buyer would have to install a new septic system for \$22,000. Petitioner disagrees with the valuation because their lot is not as valuable as the lots up above Arrowhead. Petitioner commented that they are questioning the "one size fits all" formula. Appraiser Lickiss explained the difference between a mass appraisal, and a fee appraisal. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, adjust the value of CBOE #18 to \$67,600. Motion carried unanimously.

CBOE#32
McCormick Family Partnership

Petitioner Matt McCormick was present for discussion via conference call. Senior Appraiser Lickiss summarized the subject property. Petitioner commented that he has comparables that are less than his property value. The board reviewed several comparables provided by Mr. McCormick. Lickiss suggests to the board that if the petitioner feels this view is similar with the adjacent lot, schedule number R011973, then we can reduce the limited view on CBOE #32. After research, Deputy Assessor Hildreth found that R011973 should be valued at \$69,300 not \$59,300. They found this lot has sewer, water and no septic. The difference between his property and the property next door is the property next door has no septic. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjust the value of CBOE #32 to \$69,300. Motion carried unanimously.

**CBOE#75
Robert Orr**

Petitioner Gale and Robert Orr were present for discussion via conference call. Senior Appraiser Lickiss summarized the subject property. Petitioner commented that he does not understand the panoramic view. Chairperson Channell explained the different view categories for the Arrowhead subdivision. Lickiss explained the differences between view lots and panoramic view lots, and how they are subjective. Lickiss recommends if the Petitioner feels this is considered a view lot, he can request this and the Assessor's Office will go take a look at the lot. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust the value of CBOE #75 to \$70,430. Motion carried unanimously. Assessor's Office will physically check on this property to confirm the view.

**CBOE#3
Gary Petri**

Petitioner Gary Petri was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Petitioner commented he purchased the property in 2006 for about \$1,000/acre. There are no utilities, and only sagebrush on the property. Petitioner explained comparables he provided. Petitioner commented that in June 2010 his neighbors purchased 40 acres for \$50,000. This sale was not open to the public, resulting in this property cannot be used as a comparable because it was not an open transaction sale. It was determined there is an external factor that affects his property. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust CBOE #3 to \$219,400 due to the dump site. Chairperson Channell commented he is ok with the number proposed. Motion carried unanimously.

**CBOE#7
Ralph Felling**

Petitioner Ralph Felling was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Rundell used the comparables provided because they have seasonal access and are off the grid. Petitioner commented the assessment of \$175,560 is an increase of 40%. Petitioner mentioned he has a collapsed mobile home on his property that he is trying to get removed. Deputy Assessor Hildreth commented that his comparable next door is not in the Gunnison County records because it is in Saguache County. **Moved** by Commissioner Swenson, seconded by Chairperson Channell, to adjust the value of CBOE #7 to \$149/square foot, totaling \$148,400. Motion carried unanimously.

**CBOE#9
Robert Weiss**

Petitioner Robert Weiss was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Petitioner commented on the comparables provided by the Assessor's Office. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust the value of CBOE #9 to \$228,660 which includes the off grid attributes. Motion carried unanimously. Board of Equalization asked the Assessor's Office to review Gunnison Highland North to confirm off grid attributes have been applied.

**CBOE#11
Gerald Hudson**

Petitioner was not present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Rundell commented it is valued at \$20,000, and recommend adjusting the price to \$12,000. **Moved** by Commissioner Swenson, seconded by Chairperson Channell, to accept the recommendation from the Assessor's Office to adjust the value of CBOE #11 to \$12,000. Motion carried.

**CBOE#26
Ronald and Anne Treche**

Petitioner was not present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. The board reviewed the email from the petitioner. The petitioner claims that replacement cost of market value is reasoning for a lower suggested value. The board cannot consider. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE #26. Motion carried unanimously.

**CBOE#30
Roger Almgren**

Petitioner Roger Almgren was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. The subject property's base value is \$47,300, and the limited view is \$5,300, resulting in a total value of \$52,600. Rundell explained how view is calculated into values. Petitioner commented on the documentation he provided at the hearing. He had sent a letter to the Assessor's Office providing them with 9 comparables. Rundell showed Roger the chart that explains how the base value is calculated. Deputy Assessor Hildreth explained what attributes are and how they are considered in the value of the property. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to remove the limited view amount of \$5,300, and adjust the value of CBOE #30 to \$47,300. Motion carried unanimously. Assessor's Office will physically inspect this lot.

**CBOE#36
Paul Racine**

Petitioner Paul and Rose Mary Racine were present for discussion on conference call. Appraiser Don Rundell summarized the subject property that is valued at \$28,550 and discussed comparables he provided as examples at the hearing. Rundell explained the subject property has fair/poor access because it is seasonal and you have to go through another property to access the subject property. Petitioner commented the property is all sagebrush and no meadow. Assessor's Office mentioned it is classified as sage and tree land, and you can only have meadow or tree, not combined. Rundell explained the access is already classified at the lowest access that they can consider. Petitioner commented that you cannot build on this property because it is landlocked and also on a steep hill. Deputy Assessor Hildreth commented that issues with build-ability can receive a market adjustment, which has been applied previously on other property that is unbuildable. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to adjust the value of CBOE #36 to \$10,560, the property will be corrected as vacant lot not residential. Motion carried unanimously.

**CBOE#37
Irvan Christy**

Petitioner was not present for discussion. Petitioner provided an email confirming they are waiving their right to appear before the board. Petitioner commented on the Notice of Determination they estimate the value to be \$348,180. Appraiser Don Rundell proposed to adjust the subject property to \$284,820. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to accept the Assessor's Office recommendation to adjust the value of CBOE #37 to \$284,820. Motion carried unanimously.

**CBOE#50 & #51
Robert and Crystal Raymond**

Petitioner Robert Raymond was present for discussion. Deputy Assessor Hildreth commented the subject properties are classified as mining claims, and have been valued taking into consideration the seasonal access. Hildreth mentioned the comparables are in the same

township of the White Pine area, which is the same area as the 2 appeals CBOE #50 and #51. Petitioner commented that he has been trying to get \$5,000 for both of these properties. The board explained that the Assessor's Office is assessing the value based off of recent sales in the area. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE #50 & CBOE #51. Motion carried.

CBOE#52
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Petitioner commented this is an unbuildable lot with no vehicular access. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, deny appeal for CBOE #52 based on the information provided. Motion carried unanimously.

CBOE#53
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Petitioner commented that nothing has sold in the Rock Creek mining district. Chairperson Channell explained they can only use comparables of properties that have sold, not what is still on the market. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE#53 based off of the information provided. Motion carried unanimously.

CBOE#54
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Rundell mentioned these are classified as desolate lands, which are not a mining claim, the subject property is vacant land. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE#54. Motion carried unanimously.

CBOE#55
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Rundell mentioned that no vehicular access has been applied to the value amount. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE#55. Motion carried unanimously.

CBOE#56
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Rundell commented the subject property is being valued on a unit basis, and not an acre basis. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland, to deny CBOE#56. Motion carried unanimously.

CBOE#57 - #64
Robert and Crystal Raymond

Petitioner Robert Raymond was present for discussion. Appraiser Don Rundell summarized the subject property and discussed comparables he provided as examples at the hearing. Petitioner stated he would like the board to deny all his appeals because this is a waste of everybody's time. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to deny CBOE#57-64 at the request of the petitioner. Motion carried unanimously.

ADJOURN: Moved by Commissioner Swenson, seconded by Chairperson Channell, to adjourn the meeting. Motion passed unanimously. The July 21, 2011 meeting of the Board of Equalization adjourned at 4:39 pm.

Channell, Chairperson

Paula Swenson, Vice-Chairperson

Phil Chamberland, Commissioner

Minutes Prepared By:

Bobbie Lucero, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk