

**GUNNISON COUNTY BOARD OF EQUALIZATION
MEETING MINUTES
July 30, 2015**

The July 30, 2015 Board of Equalization meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Commissioner
Jonathan Houck, Commissioner

William Spicer, Senior Analyst
Bob Blackett, Appraiser
Bre Shelton, Clerk to the Board

NOTICE: The Petitioners' and Assessor's exhibits for each case are located in their individual Board of Equalization files. The target appraisal date is June 30, 2014.

CALL TO ORDER: Chairperson Swenson called the July 30, 2015 meeting of the County Board of Equalization to order at 8:02 am. Chairperson Swenson 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/petitioner's agent.

**CBOE #397-#398
Sandy Shrimp LLC; Don Meyer**

Assessor's Case: Spicer described the subject property and the examples provided in the packet materials. Spicer clarified the furnishings/ personal property belongs the unit of the Grand Lodge and was a taxable item.

Petitioner's Case: Petitioner, Shrimp, was not present for the discussion. The petitioner is protesting the value of the personal property. Shrimp stated the increase was 50% higher than the previous appraisal period for the personal property.

In the Determination Letter, The CBOE recommended informing Shrimp that, according to the property owner, new personal property was added to each unit.

Moved by Commissioner Chamberland, seconded by Commissioner Houck, to deny CBOE #397 and #398. Motion carried unanimously.

**CBOE #399
Safeway Inc.**

Assessor's Case: Spicer described the subject property and the examples provided in the packet materials.

Petitioner's Case: Petitioner, Safeway Inc., was not present for the discussion.

The CBOE clarified, the petitioner requested a denial on the subject property due to a prior email sent.

Moved by Commissioner Houck, seconded by Commissioner Chamberland, to deny CBOE #399 at the request of the applicant. Motion carried unanimously.

**CBOE #113-392
Elevation Hotel, Boxer F2 LP; (Representative: Ethan Horn)**

Assessor's Case: Spicer described the subject property and the examples provided in the packet materials. Spicer clarified the accounts being disputed, included everything that was in the Elevation Hotel. Within the hotel, the accounts were split into different spaces such as retail commercial, residential employee housing, and hotel units. Spicer explained to the CBOE and Horn that there was a stipulation on a portion of the units. The stipulation was later denied by a motion from the CBOE. Spicer stated, the issue of assessment and classification is completely

separate from the valuation of the property units. Spicer explained, as commercial units, the Assessor's Office must evaluate cost, market, and income. There was discussion on the comparable properties in relation to the subject property. The Assessor's Office valued the Elevation Hotel units 83% higher than the Grand Lodge units. There was discussion on price per square foot of the subject property in comparison with the Grand Lodge. Spicer explained to Horn, the Assessor's Office did not perform a cost nor income analysis on the subject property or comparable properties. Blackett discussed why the income approach on the condo units within the subject property would be difficult to obtain an accurate assessment. There was further discussion on the income approach and the cost approach methods of assessment. Spicer suggested the petitioner further the appeal onto the BAA for a more extensive appraisal and valuation.

Petitioner's Case: Petitioner, Horn, was present for the discussion. Horn explained, Boxer wanted the units to be considered as a whole and to be no separation between the accounts. The petitioner clarified to the CBOE and the Assessor's Office, the Elevation Hotel did not necessarily want to agree to a stipulated value, and moreover, the petitioner wanted the properties to be valued as one unit/property. The petitioner discussed the impact that the new assessment value would have on the subject property. Horn stated, the subject property was purchased for \$13,750,000 for all items included in the appeal. The petitioner explained the dollar per square foot calculations on the subject property and explained the information was based on the 2015 values. Horn stated the subject property was not in line with what it should be in terms of market value.

There was discussion from the CBOE regarding the year the Elevation Hotel and when it was platted. Legally, the Elevation Hotel was platted as condominium units. The CBOE clarified to Horn that the units must be looked at individually and, by law, cannot be looked at as a whole in this situation. The CBOE explained to Horn, if the property was re-platted as a whole unit then the valuation would change and the CBOE could consider the proposal of valuation for the subject property. There was discussion that the CBOE could not look at commercial compared to residential, but could consider the properties being compared and if the properties were compared equally. There was further discussion on the dollar per square foot of each unit in regards to the subject property. The condition of the subject unit compared to the Grand Lodge was discussed and Spicer explained the condition of the subject property and the Grand Lodge had the same affected age, so no comparison was calculated. The CBOE and Assessor's Office discussed the square foot measurements and price of the various condo units within the subject property. The subject property was considered to be a unique property that did not fall into a specific category. The CBOE questioned if the Assessor's Office could use a model based on the income approach to value the subject property.

Moved by Commissioner Chamberland, seconded by Commissioner Houck, to adjust the value of CBOE #113-131 to the stipulated amount, requested by the petitioner, of \$413,570. Motion carried unanimously.

Moved by Commissioner Chamberland, seconded by Commissioner Houck, to un-stipulate the previous stipulations of CBOE #113-131. Motion carried unanimously.

Moved by Commissioner Chamberland, seconded by Commissioner Houck, to deny CBOE #113-392. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland, to adjourn the meeting. Motion passed unanimously. The July 30, 2015 meeting of the Board of Equalization adjourned at 9:21 am.

Paula Swenson, Chairperson

Phil Chamberland, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Bre Shelton, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk