

**GUNNISON COUNTY BOARD OF EQUALIZATION
MEETING MINUTES
October 2, 2018**

The October 2, 2018 Board of Equalization meeting was held in the Board of County Commissioners Meeting Room in the Gunnison County Courthouse at 200 East Virginia Avenue, Gunnison. Present were:

Phil Chamberland, Chairperson
John Messner, Commissioner

Jonathan Houck, Vice-Chairperson
Elizabeth Mense, Clerk to the Board

Senior Assessment Analyst William Spicer, Appraiser III Bob Blackett 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 Chamberland called the October 2, 2018 meeting of the County Board of Equalization to order at 12:47 pm.

CBOE #14; Nehrer

This hearing was continued from Monday, 10/1/18.

Assessor's Case: Appraiser III Blackett explained the property location and attributes. The subject property is the Gunny Lube commercial building located on north Main Street. The property was built in 2004. It is listed as average construction quality and is in average condition. The current value is listed at \$975,380. Three comparable sales were presented by the Assessor's Office.

Petitioner's Case: The Petitioner was present via telephone. The petitioner's attorney Austin Chambers was present for the hearing. Mr. Chambers stated that he did not feel that the Gunnison Tire building is an appropriate comparable sale being that the purchase price included the sale of the business which included all the personal property, trade name and intangible assets associated with the property. Mr. Nehrer presented 10 businesses that he felt were more comparable to his property. He proposed that his property's actual total value should be changed from \$975,380 to \$688,272. Appraiser III Blackett explained that the Gunnison Tire business was sold on a separate bill of sale. Mr. Chambers disagreed.

Moved by Commissioner Houck, seconded by Commissioner Messner to deny appeal for CBOE #14. Motion carried unanimously.

CBOE #02; Miller

Assessor's Case: SSA Spicer explained the property location and attributes. The Assessor's office presented 4 comparable sales within the Summit subdivision. The sale prices range from \$229,000 to \$350,000. The variation in property values in this area depend on factors including quality of views, ski access, and property slope and steepness. The Assessor's Office has taken those factors into account and made necessary adjustments to the property value. After the adjustments were made, the final property value was determined to be \$183,200.

Petitioner's Case: The Petitioner participated via telephone. Mr. Miller argued that his property should be not considered to have excellent views, that the upper Summit units have substantially better and more expansive views. Mr. Miller stated that his property does not have ski-in / ski-out access. Additionally, Mr. Miller explained that the steepness and poor soil quality of his property should be taken into account. He stated that the soil requires extensive geotechnical and foundation engineering in order to build.

Moved by Commissioner Houck, seconded by Commissioner Messner to deny appeal for CBOE #02. Motion carried.

CBOE #07; Crestview LLC

Assessor's Case: SAA Spicer explained the property location and attributes. The property is located just north of Gunnison. It is approximately 40 acres with year-round access. The Assessor's office presented 12 comparable sales.

Petitioner's Case: The Petitioner was not present for the hearing.

Moved by Commissioner Houck, seconded by Commissioner Messner to deny CBOE #07. Motion carried unanimously.

CBOE #10; Manus

Assessor's Case: SAA Spicer explained the property location and attributes. The subject property comprises a 0.375 acre parcel located within the town of Marble, which includes a 1,200 square foot structure that is currently classified and valued as a commercial work space and retail space. The business operations discontinued several years ago. SAA Spicer explained that per Colorado Assessment Law, discontinuation of a business operation alone does not cause a property's classification to change, rather, classification for tax purposes only changes at such time as the different use is established. At the time of inspection in September of 2018, the renovations to convert the space to a residential dwelling were still ongoing. SAA Spicer explained that based on statutory requirement, the properties are classified according to their actual use as of January 1st of each year. The Assessor's office believes that this property will qualify for a residential classification in 2019.

Petitioner's Case: The property owners, Charles and Connie Manus were present for the hearing. The petitioners presented a real estate lease dated September 29, 2018 for Board review. The consensus of the Board was that the leasing agreement could be considered if it were dated anytime in 2017. Mr. Manus stated that they began the process of converting the space to a residential dwelling approximately three years ago. Mr. Manus stated that he spoke to Assessor Kristy McFarland and Appraiser III Blackett in October of 2017, requesting that they come view the property to see that it was livable, residential space at that time. Mr. Manus explained that as of January 1st, 2019 the space was livable, no longer representing a gallery or retail space.

Moved by Commissioner Houck, seconded by Commissioner Messner to make an adjustment on CBOE #10 recognizing the residential status for tax year 2018 and direct staff to do the appropriate assessments for the residential and adjoining lots used in conjunction with the residential use and bring back to the Board of Equalization documentation for the ratification of that directive. Motion carried unanimously.

CBOE #8; Gardner

The Assessor's Office and the Petitioner reached a stipulation agreement on CBOE #8 per the email dated Monday, September 24, 2018.

Petitioner's Case: **Moved** by Commissioner Houck, seconded by Commissioner Messner to adjust the value of CBOE #8 to \$718,120 based on the stipulation agreement that was reached. Motion carried unanimously.

CBOE #6; Laird

Assessor's Case: SAA Spicer explained the property location and attributes. The subject property is a single family residence on 9.35 acres of agricultural land. The Assessor's office provided three comparable residential sales which are situated on similarly sized meadow parcels within approximately .5 miles of the subject property, however, none of them are classified as agricultural. That would require that the land value be extracted out of the sales price before comparing overall dollar per square foot values. SAA Spicer explained that the subject property and all three examples provided are similar in quality, condition and age.

Petitioner's Case: The Petitioner was present for the hearing. He indicated that in his opinion, Gunnison County has over taxed his property between the years of 2009-2018. Additionally, he indicated that the classification of his property was changed without proper notice. He stated that his property has been in continuous agricultural use from 1890 with no changes other than building his agricultural residential home and two sheds. SAA Spicer explained that this property is currently and always has been classified as an agricultural property and residence and therefore has been assessed, valued and taxed as such. Mr. Laird stated that his records show a senior citizen property tax exemption but not the agricultural exemption. SSA Spicer indicated that the Assessor's records reflect the senior citizen tax exemption. Additionally, he explained it is not an agricultural exemption that would show on a property tax statement, rather it is simply a classification as agricultural. The Board consensus is that a continuous agricultural classification has been appropriately applied.

Moved by Commissioner Houck, seconded by Commissioner Messner to deny CBOE #6. Motion carried unanimously.

CBOE #5; Dufon

Assessor's Case: SAA Spicer explained the property location and attributes. The subject property is comprised of a 53.91 acre parcel in the Black Canyon area. There is a 600 square foot structure located on the property that is classified and valued as a single family residence. It was added to the tax roll in 2018 after being identified on an aerial photograph, and later physically inspected in 2016. The original year it was built is in question. SAA Spicer believes that the question at hand is whether the building should be classified as an agricultural out building or single family residence. The Assessor's office spoke to Andy Pipher of Anchor Cattle Company who leases the property for grazing. Mr. Pipher confirmed agricultural use of the property in 2018 and stated that he has not used the structure for residential or agricultural purposes. Based on their inspection of the structure, the Assessor's office believes that the building was designed predominantly to be used as a place of residence. The historical insurance documentation refers to the building as a "line camp cabin" and an "additional farm dwelling".

Petitioner's Case: The Petitioner participated via telephone. The petitioner isn't questioning the assessed value of the property, rather he is questioning the classification of the property as residential. He stated that he agreed with the majority of the Assessor's presentation, however, one major discrepancy is the year it was built. He explained that the property has been in his family since the early 1990s with the structure being built in 1993 as a line camp structure. The property has been used for summer grazing since and the building is solely used for storage. There is no residential utilization of the property or structure. Additionally, there is no running water, electricity, sewer/septic, or heat within the structure. SAA Spicer explained that the land that is currently leased and used for agricultural purposes is classified as such, but the building itself is not being used as a part of agricultural operations and is not integral to operations so it does not warrant the agricultural classification.

Moved by Commissioner Chamberland, seconded by Commissioner Houck to deny CBOE #5. Motion carried unanimously.

CBOE #15; Weitzman Marital Trust

Assessor's Case: SAA Spicer explained the property location and attributes. The subject property is a very large single family residence on a 0.694 acre parcel with a separate 0.372 acre adjoining parcel which is undeveloped. The Assessor's office presented three comparable residential sales. It is the opinion of the Assessor's office that the property is valued appropriately.

Petitioner's Case: The Petitioner, nor the Petitioner's agent, Popp Hutcheson PLLC, were present for the hearing. The Petitioner's agent did request in an email dated 10/1/18, that the information and remarks they submitted be presented at the hearing to represent their appeal.

Moved by Commissioner Messner, seconded by Commissioner Houck to deny CBOE #15. Motion carried unanimously.

Miscellaneous Classification and Value Changes Recommended by the Assessor:

SAA Spicer explained the miscellaneous classification and value changes that the Assessor's office is requesting.

Moved by Commissioner Houck, seconded by Commissioner Messner for approval of Exhibit A, which included various proposed changes in classifications and values and that it be approved in its entirety. Motion carried.

Moved by Commissioner Messner, seconded by Commissioner Houck to put R001699 back into a commercial assessment classification. Motion carried.

Moved by Commissioner Messner, seconded by Commissioner Houck on Account #R001344, to not go with the Assessor's recommendation, but rather provide the benefit to Mr. Yale with the condition that within the next thirty days that an amendment is made to the existing lease that clearly indicates that the hospital is the sole beneficiary of the tax exemption. Motion carried.

ADJOURN: **Moved** by Commissioner Houck to adjourn the meeting. The October 2, 2018 meeting of the Board of Equalization adjourned at 3:14 pm.

Phil Chamberland, Chairperson

Jonathan Houck, Vice-Chairperson

John Messner, Commissioner

Minutes Prepared By:

Elizabeth Mense, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES



Gunnison County Assessor's Office
 221 North Wisconsin Street, Suite A
 Gunnison, CO 81230

To: Gunnison County Board of Equalization
 From: Kristy McFarland, County Assessor
 Date: October 2, 2018
 Subject: Value Adjustment
 RE: Adjustments are requested for the following accounts based on the information provided in the Reason for Change column below.

Account #	Owner	Current 2018 NOV Classification and Value			Proposed 2018 Classification and Value			Reason for Change
		Classification	Abstract Code	Value	Classification	Abstract Code	Value	
R043147	ENGLEMAN JOSEPH M ETAL	Agricultural Land	4137	520	Agricultural Land	4137	2,040	Correct error in land value calculation
R044275	CEBOLLA HOT SPRINGS RANCH ASSOCIATION	Agricultural Land	4167	10	Agricultural Land	4167	80	Correct error in land value calculation
R071241	707 ELK AVE LLC	Residential	1112	348,370	Vacant	0100	348,370	Adjoining residence sold to new owner 12/4/2017 - no longer qualifies for residential classification
R044036	GRAND LODGE CRESTED BUTTE COMMERCIAL CONDOMINIUM ASSOCIATION	Commercial	2245	41,480	Commercial	2245	13,480	Unit should have been classified as storage/utility area
R009059	HOWELL JOHN L JR	Vacant	0540	32,030	Residential	1112	32,030	Used in conjunction with adjoining residential property under same ownership
R009079	HOWELL JOHN L JR	Vacant	0540	23,010	Residential	1112	23,010	Used in conjunction with adjoining residential property under common ownership
R009344	HOWELL JOHN L JR	Vacant	0540	12,760	Residential	1112	12,760	Used in conjunction with adjoining residential property under common ownership
R023798	HOWELL JOHN L JR	Vacant	0540	10,710	Residential	1112	10,710	Used in conjunction with adjoining residential property under common ownership
R033639	HOWELL JOHN L JR	Vacant	0540	8,320	Residential	1112	8,320	Used in conjunction with adjoining residential property under common ownership
R033647	HOWELL JOHN L JR	Vacant	0540	15,440	Residential	1112	15,440	Used in conjunction with adjoining residential property under common ownership
R003942	MURRAY BRIAN V	Residential	1230	670,690	Residential	1230	336,550	Lower quality rating for equalization with three units in same complex adjusted under appeal
R05943	MURRAY BRIAN V	Residential	1230	670,690	Residential	1230	336,550	Lower quality rating for equalization with three units in same complex adjusted under appeal

Account #	Owner	Current 2018 NOV Classification and Value			Proposed 2018 Classification and Value			Reason for Change
		Classification	Abstract Code	Value	Classification	Abstract Code	Value	
R05944	SAVIN RONALD C	Residential	1230	561,480	Residential	1230	449,190	Lower quality rating for equalization with three units in same complex adjusted under appeal
R005945	CROSS ROSALIND	Residential	1230	670,690	Residential	1230	536,550	Lower quality rating for equalization with three units in same complex adjusted under appeal
R005947	PINEHURST PROPERTIES LLC	Residential	1230	649,160	Residential	1230	516,130	Lower quality rating for equalization with three units in same complex adjusted under appeal
R05948	SAVIN RONALD C	Residential	1230	561,480	Residential	1230	449,190	Lower quality rating for equalization with three units in same complex adjusted under appeal
R072123	GEIST JOHN G	Vacant	0100	137,150	Vacant	0100	66,760	Change LEA unit value for equalization with other parcel adjusted under appeal
R008268	PADILLA STERLING	Residential	1212	115,590	Residential	1212	101,550	Correct error in living area square footage
R014654	SENTENEY FAMILY TRUST	Residential	1112	151,370	Residential	1177	15,480	Non-integral usage confirmed through interview with lesseeholder
		Residential	1212	64,820	Residential	1277	64,820	
		Vacant	0600	1,280	Ag Other Imps	4279	1,280	
		TOTAL		217,470	TOTAL		84,510	
R003523	G&R LLC	Commercial	2130	372,000	Commercial	2130	297,600	Correct records to reflect presence of residential apartment
		Commercial	2230	1,226,510	Commercial	2230	1,056,910	
					Residential	1112	74,400	
		TOTAL		1,598,510	TOTAL		1,621,260	
R072209	MAIN TREVOR	Residential	1112	30,000	Residential	1112	30,000	Capped resale value for deed restricted property provided by GVRHA
		Residential	1212	349,670	Residential	1212	385,750	
		TOTAL		579,670	TOTAL		415,750	
R072225	GOLDSTONE BETH	Residential	1112	30,000	Residential	1112	30,000	Capped resale value for deed restricted property provided by GVRHA
		Residential	1212	341,370	Residential	1212	220,000	
		TOTAL		371,370	TOTAL		250,000	
R072222	COWHERD DAVID KENT	Residential	1112	30,000	Residential	1112	30,000	Capped resale value for deed restricted property provided by GVRHA
		Residential	1212	441,040	Residential	1212	338,900	
		TOTAL		471,040	TOTAL		368,900	
R005219	ADAMS KEVIN RAY	Residential	1230	183,860	Residential	1230	143,000	Capped resale value for deed restricted property provided by GVRHA
R072293	MASON IVAN ETAL	Residential	1212	9,160	Residential	1212	10,610	Residential improvement moved to new parcel in different neighborhood
R008205	MASON IVAN ETAL	Vacant	0100	17,300	Residential	1112	17,300	Residential improvement moved onto this parcel

Account #	Owner	Current 2018 NOV Classification and Value			Proposed 2018 Classification and Value			Reason for Change
		Classification	Abstract Code	Value	Classification	Abstract Code	Value	
R009753	BONNEY TERRY K	Agricultural Land	4137	4,730	Residential	1112	148,340	Use of property does meet for-profit requirement of agricultural classification
		Agricultural Residence	4277	817,120	Residential	1212	930,340	
		Ag Other Imps	4279	109,940				
		TOTAL		931,790	TOTAL		1,078,570	
R031154	LASSEK HILARY EDWARD	Residential	1112	100,800	Vacant	0100	100,800	Property sold to new owner 12/28/2017 - no longer qualifies for contiguous residential use classification
R070639	COLVIN PROPERTIES INC	Vacant	0100	106,740	Agricultural Land	4147	170	Agricultural use confirmed
R070641	COLVIN PROPERTIES INC	Vacant	0100	106,740	Agricultural Land	4147	110	Agricultural use confirmed
R070642	COLVIN PROPERTIES INC	Vacant	0100	106,740	Agricultural Land	4147	110	Agricultural use confirmed
R070643	COLVIN PROPERTIES INC	Vacant	0100	106,740	Agricultural Land	4147	110	Agricultural use confirmed
R071016	KAT MINERAL CONSULTANTS	Vacant	0560	307,820	Agricultural Land	4147	5,900	Agricultural use confirmed
					Ag Other Imps	4279	1,570	
		TOTAL		307,820	TOTAL		7,470	
R071017	TOOTLE RICHARD	Vacant	0560	251,240	Agricultural Land	4147	5,250	Agricultural use confirmed



Gunnison County Assessor's Office
221 North Wisconsin Street, Suite A
Gunnison, CO 81230

To: Gunnison County Board of Equalization
From: Kristy McFarland, County Assessor
Date: October 2, 2018
Subject: Value Adjustment

RE: Adjustments are requested for the following accounts based on information concerning terms of lease agreements.

Account #	Owner	Current 2018 NOV Classification and Value			Proposed 2018 Classification and Value			Reason for Change
		Classification	Abstract Code	Value	Classification	Abstract Code	Value	
R001344	YALE HAROLD	Exempt	9139	73,940	Commercial	2120	73,940	Lease agreement with GVH does not appear to pass benefit of property tax exemption on to lessee.
		Exempt	9239	154,180	Commercial	2220	154,180	
		TOTAL		228,120	TOTAL		228,120	
R001699	PFI GUNNISON LLC	Exempt	9139	163,660	Commercial	2130	163,660	Lease agreement with GVH does not appear to pass benefit of property tax exemption on to lessee.
		Exempt	9239	454,400	Commercial	2230	454,400	
		TOTAL		618,060	TOTAL		618,060	