GUNNISON COUNTY BOARD OF EQUALIZATION
MEETING MINUTES
July 30, 2013

The July 30, 2013 Board of Equalization meeting was held in the Board of County Commissioners Meeting Room at the 200 East Virginia, Gunnison Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Commissioner
Jonathan Houck, Commissioner
Bobbie Lucero, Clerk to the Board

County Assessor Kristy McFarland, Deputy Assessor and Senior Appraiser/Analyst 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.

The valuation time period is July 1, 2010 –June 30, 2012

CALL TO ORDER: Chairperson Swenson called the July 30, 2013 meeting of the County Board of Equalization to order at 9:01 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.

CBOE #28 and 29; Renbarger Family LLC

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

This hearing was called to be re-opened by the Assessor's Office. The board discussed that they can re-open the hearing because the decision has not been sent, and the Assessor's Office reported that they had new information that came forth, and the board agreed to re-open the hearing for CBOE #28 & #29.

Assessor's Case: Lickiss reported that he spoke with State Veterinarian Dr. Carl Heckendorf and he confirmed, to bring cattle in and out of the state of Colorado (CO), Colorado revised State Statute 35-50-112 requires a Certificate of Veterinary Inspection (CVI). He informed the board that he researched with the State of Oklahoma (OK), and they have the same requirement when transporting cattle in and out of the state. He provided the documentation that shows the same requirements for transporting cattle in and out of OK. The State of CO has their information in a database, which Dr. Heckendorf researched and found no records of the Renabrger Family transporting cattle in and out of CO. Lickiss informed that are criminal penalties for doing this, which is a fine of $500 - $2,000 per incident , imprisonment/ jail for up to 90 days, or both. Lickiss explained that there is no record of the Renbarger's transporting cattle in and out of CO. He reported that since the CVI is basically nationwide requirements, the Renbarger Family would know if they needed documentation to transport cattle across state lines. He also reported that the neighboring property owner confirmed they have never seen cattle on the property. The only time they have seen cattle on the property is when their cattle have crossed the fence. Lickiss informed that he spoke with the neighbors, Sanderson, they have not seen cattle on the property. There has been a cut fence on the property that has not been repaired for years. Lickiss observed that the fence has still not been repaired by the property owner.

Deputy County Attorney Art Trezise joined the conversation. He expressed concern that the Renbarger's mentioned that they had cattle on the property and that if so, they were not legally there. He advised that it might be their responsibility to report illegal/criminal activity when it becomes known. The confirmed that the board has authority to re-open he hearing because a final notice does not have to be provided until 8/5. He informed the board that notice was given as due process to ensure the agent and Renbarger Family was aware the hearing was going to be re-opened.

The board discussed that the property owners said that they used it for agriculture, there is no evidence that it is being used for agriculture. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to resend the motion previously made for CBOE #28 and

#29 on July 22nd. Motion carried unanimously. **Moved** by Commissioner Houck and seconded by Chairperson Swenson to deny CBOE #28 and #29. Motion carried unanimously.

CBOE #44; Ingham LLC

Lickiss informed that he performed a physical. They had the property condition at average, after the physical it is determined that the property is below average. (Zinc building.)

Lickiss informed the board that he performed a physical inspection on CBOE #44. He informed the board that the condition is below average and recommends changing them due to the below average condition. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to resend the denial of CBOE #44 due to evidence brought forth today. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjust CBOE #44 to the value of $156,470 due to the building condition not being average. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjust the value of R003584 to the amount of $174,580 due to the building condition. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjust the value of R003586 to the amount of $179,770 due to the building condition. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjust the value of R003587 to the amount of $231,890 due to the building condition. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjust the value of R003588 to the amount of $125,000 due to the building condition. Motion carried unanimously.

Natalie Yadon Living Trust

The Assessor's Office reported to the board the Natalie Yadon Living Trust in Pitkin, when they inspected the property in the past they would find a "For Rent" sign on the property. This year an Assessor's Office Appraiser went back to the property and observed that the property owner is still renting the property after the property owners said that they will not be renting it out. After inspection and seeing confirming the owners are still renting out the property, the Assessor's Office recommends reclassifying the property back to commercial. Moved by Commissioner Chamberland and seconded by Commissioner Houck to change the value of R003796 to the amount of $12,760 due to the commercial use of the storage area. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the meeting. Motion passed unanimously. The July 30, 2013 meeting of the Board of Equalization adjourned at 9:22 am.

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Paula Swenson, Chairperson

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Phil Chamberland, Commissioner

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Jonathan Houck, Commissioner

Minutes Prepared By:

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Bobbie Lucero, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk