

DRAFT

THE CITY AND BOROUGH OF JUNEAU, ALASKA BOARD OF EQUALIZATION

May 10, 2007

I. CALL TO ORDER: The Board of Equalization meeting of the City and Borough of Juneau, held in Assembly Chambers of the Municipal Building, was called to order Chairman Kalwara at 5:00 p.m.

II. ROLL CALL

Panel Present: Ed Kalwara, Chair; Debbie White and Michael Boyer; a quorum was present (Panel 1).

Appellants Present: Kirk Miller, Steven Wolf, & Late file applicant Larry Hooton

Others present: Barbara Ritchie, Deputy City Attorney; Craig Duncan, Finance Director; Jim Canary, City Assessor; Ken Miller, Appraiser II; Robin Potter, Appraiser I; Beth McEwen, Deputy Clerk, and audience members.

Chairman Kalwara explained the process under which the board would hear the appeals with the city going first and then hearing the appellant's case and the panelists able to ask questions at any time. Mr. Canary also that typically the Assessor's office gave a preliminary overview of the property, the appellant then made their case. The appellant bore the burden of proof and if the panel felt the appellant had not proven their case, they could end the process there, if the panel felt they would like to hear from the city, staff then presented its arguments.

III. PROPERTY APPEALS

Appeal #1

Subject Property: Parcel Number: 8B3501000133

Location: 17330 Pt. Lena Loop Road

Appellant: Kirk & Raandi Miller

2007 Preliminary Assessed Value:

Site (Land): \$162,500	Improvements: \$226,200	Total: \$388,700
------------------------	-------------------------	------------------

Owner's Estimated Value:

Site (Land): 162,500	Improvements: \$185,400	Total: \$347,900
----------------------	-------------------------	------------------

Assessor's Recommendation:

Site (Land): \$162,500	Improvements: \$203,000	Total: \$360,500
------------------------	-------------------------	------------------

Mr. Ken Miller, CBJ Appraiser, reviewed the material contained in the packet. He also made clear for the panel that he is not related to the appellant. He pointed out that there was an error made in the original calculation of the square footage of the subject basement and the assessors recommended lower assessment of \$360,500 is based on the correction of that error.

Mr. Kirk Miller explained that he had come before the BOE in 2006 when his assessment increased by approximately \$50,000. The BOE at that time adjusted the assessment the building structure to \$185,400. In addition to what he had submitted to the assessor and which was included in the packet materials, the appellant handed out to the board the following documents: a summary sheet with his points on appeal, a spreadsheet showing his assessments and taxes for years 2000 through 2007, a spreadsheet showing a comparison of neighboring properties and their assessments for the

DRAFT

2006 and 2007 years, and a copy of his home's floor plan. The appellant's main points on appeal concerned a comparison of his assessment values to those of similar neighboring properties. The original 2007 assessment value was \$388,700, the assessor has revised that amount to \$360,500 which equals a \$12,500 increase for property and \$12,600 increase for building. He argued that the most of the neighboring properties received a \$12,500 increase to their property but have zero increase to their building structure assessments. Other concerns the appellant raised in his arguments and materials included the fact that of the 1,344 gross square feet in building size, only approximately 1,271 of that is usable floor space which includes a loft with a sloped roof on the sides and that the cost per square foot of gross building structure area is also higher than the neighboring properties. The appellant said that all three comparison properties appear to be equipped with garages while he only has a 24x16 storage room workshop and CBJ said can't be lived in due to ingress/egress issues. The appellant stated that he is a licensed professional engineer and while he is not an expert in property and building assessments, he practices structural engineering for a living and he has a pretty good handle on construction costs.

Discussions took place between the appellant and panel members regarding the square footage cost comparisons he showed between his building structure and that of the neighboring properties listed on his spreadsheet and what the appellant's final assessment request actually is. The appellant requested the total assessment amount to be based on the 2006 building assessment of \$185,400 and the 2007 property assessment of \$162,500 for a total subject property assessment of \$347,900.

Mr. Ken Miller said he did an onsite inspection. The home is in good condition with some improvements needed. He stated the square footage is important but just one factor. He explained that they discovered the error that the basement square footage was not added last year but that they hadn't discovered the error until after the BOE adjustment had been made and it had adjourned the meeting. This year the land was increased using a cost approach for the subject property and that of the neighboring properties. They used market and sales comparisons for the comparison properties making adjustments for differences between the comparables and the subject property.

Chairman Kalwara asked if there were any questions from the board. Hearing none, he stated that the motion to be made must be made in the affirmative such as a motion to approve appellant's appeal and if they wish to go with the assessor's recommendation instead of the appellant's to request a "No" vote.

MOTION by Mr. Boyer, to adjust the total assessed value to \$360,500 based on the Assessor's recommendation. Hearing no objection the motion carried.

MOTION by Mr. Boyer, to grant the request by the appellant to set the value at \$347,900 and requested a no vote for reasons explained by the Assessor. All members voted no and the assessment was set at the \$360,500 total value from the previous motion.

Appeal #2

Subject Property: Parcel Number: 5B1601070060

Location: 2396 Ka See An Drive

Appellant: Steve Wolf

2007 Preliminary Assessed Value:

Site (Land): \$80,000

Improvements: \$291,000

Total: \$371,000

Owner's Estimated Value:

Site (Land): not specified

Improvements: not specified

Total: \$330,000

Assessor's Recommendation:

No change.

DRAFT

Mr. John Skan, CBJ Appraiser, reviewed the material contained in the packet. When the assessor touched on the interior inspection being refused, the panel members had a brief discussion as to what the value of an interior inspection is and whether it would make a difference within appeal process. The appellant responded that an interior inspection had been done the previous year by Mr. Ken Miller and nothing had changed.

Mr. Steven Wolf, in addition to what he had submitted to the assessor and which was included in the packet materials, the appellant handed out to the board the following documents: a summary sheet with his points on appeal and a Google map with documents showing five comparison properties sold in the past year at less than their assessment values on the same block or within one block of the subject property. The appellant's main points on appeal concerned the fact that the current assessments of the properties in this neighborhood are overestimated by evidence of the final selling prices vs. the assessment values on the homes shown in the hand out materials. He also pointed to inaccuracies dealing with the comparable properties used and that quality of comparables 1 and 2 vs. the quality and age of his structure. He argued against the subject property being valued at \$20 per square foot more than the value of the home across the street from his which he considered a comparable property. The appellant also argued about the assessor's classification of his shop as a "large shop", the appellant provided materials showing what a "large shop" consisted of to compare it to the small shop in his home.

Panel members asked the appellant to clarify the "shop" area vs. the garage area. The appellant clarified that the 236 square feet of shop is included along with the 416 square foot garage for a total square footage of 652 SF. Panel members also asked the assessor to speak to the lower sale prices of appellant's comparable properties vs. the assessed values.

Mr. John Skan gave the assessor's analysis. Mr. Canary stated that most folks do remodeling after purchasing property and that they look at building permits and do drive bys which sometimes does change the value of the assessment. The assessors stated that from their inspection last year, they did lower the value at that time by \$15,000 due to the poor roof condition on the subject property. Mr. Ken Miller stated that this was the first time they had heard about the equity issue so they weren't prepared to discuss it at this time. Panel members asked if the equity issue could be considered since the corresponding box on the appeal form wasn't checked. Deputy City Attorney Barbara Ritchie advised that the marking of the box on the form wasn't as important as the fact that the appellant brought up that issue in their letter which was contained in the packet and the assessor was aware of the issues by way of the letter. Mr. Boyer stated that there may be something in the equity issue but that he didn't feel the appellant has met the burden of proof.

MOTION by Mr. Boyer to grant the appeal and ask for a "No" vote for the reasons provided by the assessor. All members voted "No" and the appeal was therefore denied.

IV. LATE FILED APPEALS

Chairman Kalwara explained that the board was required to determine whether or not the board would hear the appeals submitted late.

Property Location	Parcel No.	Property Owner
1. 18155 Glacier Hwy.	8B3601040140	Violet Cope

Ms. Violet Cope was the first late filed application to be considered. The appellant was not present. Chairman Kalwara stated that the board would base its decision upon the letter Ms. Cope submitted, contained in the packet. She made several points in her letter, one of which was the changing

DRAFT

deadline date to submit appeals to the Assessor from year to year, that there were many things to be taken care of upon her return to Juneau that were distracting, and that she has filed appeals before and only in 2005 was not accepted by the board to be heard. Mr. Boyer said he felt there wasn't a compelling reason such as a medical leave and that she was actually in town to file the appeal in a timely manner but did not so he doesn't feel they should consider hearing this appeal. Ms. White asked if there was published notice that that date was changing, she recalled hearing notices on the radio as well as seeing something in the newspaper. Mr. Canary stated that the date of filing was published twice in the paper, it was broadcast on the radio and they also sent it out on everyone's assessment notices. Ms. White stated there was plenty of notice that the date was changed. Mr. Canary replied that the date didn't change, it was all along that Friday the 13th was the last day to submit an appeal. Ms. White asked about what it has been in the past. The assessor stated that the date varies every year and that as soon as their work is done and reviewed they are ready to publish the notices; that is when the notices then get published. Ms. White said it isn't like it has been May 1 for twelve years in a row and then all of a sudden it got bumped up. Mr. Canary said last year's board admonished the assessor's office about not having the appeal deadline end on a Friday when people are used to having deadlines so this year they made sure that it fell on a Friday and he thought that Friday the 13th might help people remember the date better.

MOTION by Mr. Boyer for the board to not accept the late filed appeal. All members voted to not accept the late appeal.

Property Location	Parcel No.	Property Owner
2. 34201 Glacier Hwy	3B4401000060	Larry Hooton

Mr. Larry Hooton was present to address his request for the board to hear his late filed appeal. Mr. Hooton started to explain the points on appeal. Chairman Kalwara explained that at this point, they are not hearing the appeal but rather giving him the opportunity to explain why it was filed late and the board will determine whether or not it qualifies to be heard as a late filed appeal. Mr. Hooton explained he was out of town until the evening of April 8 and due to the large amount of snow, it took him two days to get to his house and out again at which time he picked up his mail. He mistook the date for April 15 but it was in fact April 13 and he turned it in over the weekend and it turned out to be late. He assumed it was the same time consideration as Income Tax. Chairman Kalwara said his reasons for late filing is that he misread the date. Mr. Hooton said he did misread the date, the date on the top of the notice was the 15th and the date below was the 13th and he misread the date. He made the form out on April 13 but didn't get it into the box until April 14 where he put it in the box at Super Bear. Ms. Ritchie asked what he meant by the 15th vs. 13th dates on the notice. Mr. Hooton explained the date mailing date of the notice was March 15 and the appeal filing date was April 13. Mr. Boyer asked if the appellant was prevented by the weather to get to his mail box. The appellant explained that his mailbox is in town. He came in on Sunday evening and he had to clear his 700 foot long driveway, which took him until Tuesday, April 10 before he was able to get his mail. Mr. Boyer stated that the board is required to determine if the appellant is physically unable to make the filing of the appeal and in his case, it sounds like the appellant was physically able but just misunderstood the date. Mr. Hooton said he made out the form but was thinking the date was the same as that of the Income Tax.

MOTION by Mr. Boyer for the board to not accept the late filed appeal. All members voted to not accept the late appeal.

Property Location	Parcel No.	Property Owner
3. Commuter Terminal	3B1601010100	LAB Flying Services Inc.

DRAFT

No one was present to represent the appellant and there was no letter contained in the packet materials explaining the reason for the late filing, therefore there was nothing for which the board could base its decision to grant the hearing of the late filed appeal.

MOTION by Mr. Boyer for the board to not accept the late filed appeal. All members voted to not accept the late appeal.

Property Location	Parcel No.	Property Owner
4. 10840 Lilac Drive	4B2601500050	Travis and Karragh Arndt

No one was present to represent the appellant. There was a letter contained in the packet materials stating "Sorry this is so late. We were getting the appraisal and moving at the time the notices came out. Our mail service was also going between the old and new address." Chairman Kalwara said there wasn't enough information to base a decision upon or consider hearing the late filed appeal. Mr. Boyer asked if the notice is mailed to the property in question. Ms. White explained that it is mailed to the mailing address contained the assessor's database whether that is a P.O. Box or another mailing address. Mr. Boyer said he felt the documentation didn't provide sufficient evidence and didn't state or prove that the appellant didn't receive the notice.

MOTION by Mr. Boyer for the board deny the late filed appeal. All members voted to not accept the late appeal.

Chairman Kalwara asked if there were any other matters to come before the board. Mr. Canary stated the next potential Board of Equalization meeting would be on or about May 25, 2007. Mr. Kalwara stated that Scott Novak would not be available on that date.

V. ADJOURNMENT - 6:15 p.m.

Submitted by Beth McEwen, Deputy Clerk