

**Board of Equalization
July 8, 1999**

Commissioner Neal Christiansen called the meeting to order for the Board of Equalization appeal hearings. Those present were Commissioner Glenn Davis, Commissioner Frank Mackert. Clerk Mickie Funke was present and taking minutes; Assessor Ivel Burrell, county appraisers Brett Hill, Jeremy Dixon, Mike Jones, contract appraisers Gary Shewey Bret Robinson and Kathy Nelson from the State Tax Commission were present to discuss assessments on appeals.

Siverhawk

RP001660010150 A, 282,846
RP001660010120 A, 269,818
RP001660030130 A, 58,684
RP001660020020 A, 65,846
RP001660020110 A, 66,250
RP001660010340 A, 305,092
RP001660010320 A, 277,734
RP001660010280 A, 272,647
RP001660010270 A, 267,397
RP001660010330 A
RP001660010110 A

Mike Ferguson and Steven Hart, a Realtor, representing Roger Ferguson spoke for the subdivision Siverhawk. They feel that the assessment value does not represent the market value because of the agreed price between them and the developer, Green Valley and New Horizons and South Shore Development. Appraiser Brett Hill discussed the confusion that the sale price to the developer is not the price sold to buyers of the lots. Bare lot sales from Bills Island and other subdivisions were used for comparisons. Mike Ferguson feels that they have a contract for the sale but not for the values assessed that they are twice the value sold six months ago. The contract value was determined on a running foot value. No recording was done on the contract so we have no other owners. The asking price is more than the appraised value. All the lots that Ferguson says are recorded are not being appraised. Mike Ferguson said that the value should be lowered also because of the possible shut down of the dam. He also feels that Bills Island is a fully developed subdivision and should not be compared with the new subdivision Silverhawk that is totally undeveloped with no history.

Uphold the assessor on all parcels

Kelly Wasden

Division #5 Sawtelle Subdivision
RP001410000020 A, 20,125
RP001410000060 A, 14,800
RP001410000070 A, 18,648
RP001410000110 A, 14,948
RP001410000100 A, 14,948
RP001410000080 A, 19,240
RP001410000050 A, 17,168
RP001410000040 A, 24,725
RP001410000030 A, 21,045
RP001410000140 A, 22,940
RP001410000130 A, 22,792
RP001410000120 A, 15,096

Kelly Wasden asked why some lots had more than doubled. Gary Shewey said that the lots had been reappraised to represent sales. The lots are in Sawtelle Mountain Subdivision. Most of lots left unsold are near the flat where it floods. Assessor said that we do not have recorded what Wasden said are the lots. Wasden is marketing the lots at \$10,000 per acre but none have sold at that. He sold one commercial lot for \$35,000 that was 3.5 acres in size. Wasden said that lot 2 has wetlands, set at \$15,000. Shewey said he wanted a list of the asking price. Wasden feels that he would agree to have the appraisal value the

same as the asking price. Shewey said that comparison with Stonegate should be similar. Assessor said that they cannot just use asking price for values.

Change as follows:

RP001410000020 A, Cat. 15, 17,308

RP001410000060 A, ", 12,580

RP001410000070 A, ", 15,851

RP001410000110 A, ", 12,706

RP001410000100 A, ", 12,706

RP001410000080 A, ", 16,354

RP001410000050 A, ", 14,593

RP001410000040 A, ", 20,275

RP001410000030 A, ", 17,678

RP001410000140 A, ", 19,499

RP001410000130 A, ", 19,373

RP001410000120 A, ", 12,832

Northfork Reservoir

RP00150000022 AA, 100,000

Dave Rydalch and attorney Greg Moeller said that the property had been in litigation with Brannak and they acquired the property for \$125,000. Last year the value had been lowered, a survey was to have been completed but has not been. The lot has not been used for development purposes, is wet – swampy. The lot was purchased for the amount as settlement of the lawsuit rather than the market value, included attorney fees. The decision from the Supreme Court said that there was no prescriptive easement for the high-water level. Brannak sued for occasional flooding when he owned the lot. If the lot was used for development it would have that flooding issue. The purpose in purchasing the property was to settle the lawsuit. Many trees have fallen over because of the level of the water in the lake. The 15foot level is undisputed, the level needs to be 17 feet, and it does effect this lot but no others. The back part of the lot is not effected. The lot will never be entirely flooded because of the amount allowed for storage water. The court decision will be supplied that puts the lot in a different easement because of the water. BLM has files on the cofferdam by Frome Park. Homestead rights are being discovered. Dave Messenger is the surveyor. Rydalch feels that about 30% of the lot is underwater. Assessor feels that there could be an adjustment made.

Change Category 15 to 70,000

J. Dee May

RP09N43E133010, 70,510 revised to 54,040

June Ballou, RP09N43E133000, 145,840 " 133,120

May and Ballou are joint representatives of the Egbert trust. May's grandmother's trust for the property for use by the family. May feels that the property is overvalued and has increased 500% in one year's time. The trailer is not used for living. The property borders the Snake and Warm River. Little of the property is accessible between the river. There are a few acres by the river, the property above the cliff has no easement and does not connect to the road. Stones graze cattle on the northwest portion. May estimates that 80% of the property is not developable and should not be valued as view lots. The waterfront lots have not had an independent appraisal. Some of the property has retained mineral rights owned by the Railroad. Brett Hill said that the mineral right value is not a big thing. There are some changes that will be made because of acreage change, two acres are underwater. The property does not qualify for an Ag exemption and category. The category has changed. May said that there is no written lease. Ballou said they are no longer having Stone's graze. Easement and land locked property were discussed. Adjustments were made for the easement. Appraisers will meet them on the site to look at the trailer and the roadway.

Change as follows:

RP 09N43E133010, Cat. 12 to 53,540

Cat 32 to 500

Delete Cat 34

RP 09N43E133000 Delete Cat 10 & 18

Add Cat 12 to 113,180
Cat 32 to 3,060
Cat 46 to 8,130
Cat 47 to 1,240

Written Appeals

Robert Strange

RP002710000140 A, 56,014

Mr. Strange writes that the cabin is old and rudimentary. No insulation and is drafty. Floors are not level, no heat and seasonal running water. There is a garage. The cabin is in the North Fork Club on leased property. Strange feels the cabin's worth should be \$35,000. Appraisers probably have not been in the cabin.

Uphold the Assessor

Robert Bloxham

RP002020000260 A, 26,220

This is a request for a casualty loss on a cabin that burned down in April and the lot was then sold to Bloxham. They request a reduction on the valuation for the cabin loss and no landfill fee. Commissioners questioned the cleanup of the cabin and if it went to the landfill. There was a pro-rated closing on the cabin. If they rebuild there will be a landfill charge with the permit.

Commissioners direct to pro rate the cabin and take all of landfill. Change Cat 37 to 3,760 for 97 days

David M. Patterson

RP14N43E236604 A, 15,000

Patterson feels that the bare lot increase is too much. The one-acre lot is a rural track. Assessor wonders if this was in Ag before and has been changed in the category. The sales support the value.

Uphold the Assessor

Tommy L. Nixon

RP000670000400, 5,000

RP00067000074A A, 20,538

Mr. Nixon feels that the value is too high, does not want to pay for the sewer O&M and LID. Nixon did not understand the value of the land, it was for a lot not one acre. The concern with the sewer fees is not a valuation question.

Uphold the Assessor

Shawna Stroebel

RP001620052001A A, 161,350

She wrote a short note, protests that it should go up, feels that it should go down, is comparing the cabin in Island Park with a home in Rexburg.

Uphold the Assessor

Bruce L. Denney

RP000650001330 A, 134,647

Denney purchased the property one year ago for less, sale occurred in '99. Sale is \$24,000 less than assessed for. Ratio studies used for this year's valuation are '98, the '99 sales will be used in next year's ratios.

Uphold the Assessor

Jim C. & Carla Siler

RP00265001016A A, 94,358

Concerned that the value has increased the last two years excessive. Complained about services.

Discussed property sales. They feel that the total expense in the land and improvements is \$40,000.
Uphold the Assessor

Meeting was then recessed until July 12, 1999.