

Wines.

The Deputy Clerk swore in the Elko County Assessor, Katrinka Russell; Deputy Assessor, Dennis de Arrieta; and Elko County Appraisers, Janet Iribarne and Sara Romero.

[9:02 PM:](#)

Audio 1:28

REVIEW OF STATE GUIDELINES:

Chairman Winer commented there were no major changes to the guidelines from last year.

[9:03 AM](#)

Audio: 1:30

COMMENTS BY THE GENERAL PUBLIC:

Kristin McQueary commented that any decision of this Board according to NRS 361.340 (9) has to be by the majority of the Board and not a majority of the quorum. She stated that anyone complaining of their tax assessment must establish by a preponderance of the evidence that the Assessor's appraisal was incorrect. Kristin McQueary reminded the Board Member if they have conflicts of interest they may have to take a break to analyze if they have to disclose or disclose and abstain. She commented this meeting was subject to the Open Meeting Law.

Florence Fehrmann commented they were required two weeks ago to turn in their petitions/evidence. She stated this morning they were given the Assessor's copy with less than an hour to review it. She felt that was inappropriate.

ACTION TO BE TAKEN ON THE FOLLOWING APPEALS:

Chairman Winer explained the procedure for the hearing under the Nevada Revised Statutes and the Nevada Administrative Code.

[9:06 AM](#)

Audio A: 5:16

FREDERICK & FLORENCE FEHRMANN

Case No(s): 14-001

Parcel No(s). 049 008 020

Hearing Date: February 13, 2014

SUBJECT MATTER:

Subject property is a single family residence located at 856 One Eye Drive in Spring Creek Tract 403, Lot 20 of Block 8. The residence is a 2,052 square foot modular home with a 156 square foot enclosed porch, 780 square foot detached garage and was built in 2007. It is situated on a 3.55 acre parcel.

DOCUMENTS SUBMITTED BY PETITIONER:

EXHIBITS SUBMITTED BY PETITIONERS:

- I. Notice of Assessed Valuation, Proposed Land Values, Plat map of One Eye Drive, Bill of Sale for Factory Built Building, Floor Plan of Comparable Clayton Home, County Appraisal of Modular Home Only, County Totals for Parcel, County Totals for Residence Only, County Totals for Land.
- II. Newspaper Advertisement for Clayton Homes.

DOCUMENTS SUBMITTED BY ASSESSOR FOR THE RECORD:

1. Letter to the Board

EXHIBITS SUBMITTED BY ASSESSOR'S OFFICE:

- A. Petition, Taxable Valuations, Legal Description, Chain of Title, Parcel Map, Building Sketch, Building Photo, Aerial Photo, Sales Approach Analysis, Income Approach Analysis, Cost Approach Analysis, Appraisal by Kelly Higgins and Assessor's Recommendation.

ASSESSOR, PREVIOUSLY SWORN IN: Katrinka Russell

SUMMARY:

Petitioners appealed the ad valorem value that was put on the home for the 2014-2015 year. Petitioners contend the value was too high for what it would cost them to replace the structures.

DISCOVERY:

The Assessor's Office retained a private fee appraiser to complete a market appraisal and the indicated value on this appraisal came in at \$200,000.

ASSESSOR'S RECOMMENDATION:

The Assessor's Office has reduced the Fehrmann's value to \$200,000.00.

[9:06:30 AM:](#)

Audio A: 5:46

PETITIONERS SWORN IN: Florence Fehrmann and Frederick Fehrmann

DISCUSSION:

Florence Fehrmann stated that they also included an appeal on the land value which was noted on the cover of the petition. Frederick Fehrmann stated they were here a year ago because they were told their house was illegal even though they had all the paperwork, all the inspections, including the inspection from the Nevada

Division of Modular Homes. He stated they have all the stickers. He commented the Assessor's Office put them under a 205 which was ...

Kristin McQueary stated they were to hear the current appeal and not visit last year.

Frederick Fehrmann stated this was all related. He noted they were told to pay a fine of \$3,150 because they had done that illegally.

Kristin McQueary clarified that was for back taxes and not a fine.

Florence Fehrmann stated that they were not at fault for any of that.

Chairman Winer requested they tie that in with this year's Petition.

Frederick Fehrmann stated the Assessor told them they made an error and they could have settled it then but because of their arrogance we came to the Board. He stated the Assessor said the house was illegal and they had to pay the back taxes. He commented the amount was excessive. Frederick Fehrmann testified that they proceeded through the State Board of Equalization. He commented Ms. Russell (the Assessor) had the Attorney General stated the house was illegal. He stated even though it was not within their jurisdiction; they took our case. Frederick Fehrmann stated this could have been settled at this Board of that year.

Chairman Winer requested that he tie that history into this year's case.

Frederick Fehrmann stated Ms. Russell said they had a trailer even though we have the moving permit by a Nevada licensed contractor which the building permit says it is for a modular home. He commented their neglect was supposed to be our fault. Mr. Fehrmann stated they finally settled for the replacement value and the Chairman of the Tax Commission said they had no evidence so we finally settled and we made adjustments even though it was not for the amount that the Tax Commission has stated; the County should have done this. He stated now we are back to square one because it was the same thing. We have all the replacement value for the modular home from Clayton Homes and Ms. Russell says it was only for a trailer. Mr. Fehrmann stated it was not for a trailer it is the way the house is, the same size delivered. He noted the Assessor said the house was worth \$200,000. Mr. Fehrmann stated the Appraiser and Ms. Russell have some sort of an agenda that we have to pay full value instead of what the law says.

Florence Fehrmann summarized that the Assessor, Ms. Russell, had sent them last year to the County Board of Equalization because they were appealing for lower values and we questioned the back taxes. Mrs. Fehrmann stated at the meeting of the County Board of Equalization last year, the Assessor would not discuss our assessed values. She commented the Board (CBOE) upheld our supplemental back taxes but put us upon a lenient payment schedule. We were then told that we could appeal to the State Board of Equalization. Mrs. Fehrmann commented they stated that the County should have reviewed our assessed values.

As a matter of fact, in the minutes, the Chairman of the State Board said the County "screwed up". Florence Fehrmann stated the State Board reduced our assessed

values and recommended that Assessor Russell zero out our supplemental taxes. She stated this was supported by the official transcript of our August 20, 2013 State Board of Equalization appeal. Florence Fehrmann stated we have been going around in a circle and it is another year more. Florence Fehrmann stated the Assessor has not zeroed out our back taxes and we were now scheduled to appeal to the Nevada Tax Commission to waive these back taxes. She commented the bill itself was erroneous and Assessor Russell was noncompliant to four portions of that Nevada statute. Florence Fehrmann stated the Tax Commission had accepted their appeal and we were scheduled to appear before them. She stated today we were requesting review of our 2014-2015 assessed land and building values. Florence Fehrmann said page 1 of our file shows you the assessed notice that we received from the County. Mrs. Fehrmann stated in December we had an appointment with Assessor Russell, confirmed by her, to discuss our values but she did not meet with us and never contacted us for a follow-up meeting. So, there had not been any discussion with the County Assessor's Office about our values that we question. Florence Fehrmann stated she had a copy of their documents.

Board Member Wes Bowlen inquired which document she was referring to.

Chairman Winer commented Mrs. Fehrmann had referenced page 1.

Florence Fehrmann replied assessment notice. Our file, page one, shows the values that we were assessed.

Assessor Russell stated that was upon page 31 of the packet.

Florence Fehrmann asked that they refer to their packet. She stated they had documents excluded from our previous file that went to the State Department. She asked that they look at our original petition. She noted the manufactured design approved by the Department of Nevada Housing was withheld from our file that went to the State Board. She stated they had to submit that separately as additional evidence. Florence Fehrmann said that evidence proved that our house was legal so she preferred they follow her file which was accurate and correct. She reviewed her notice of assessed valuation (page 1- Assessor's page 31). Florence Fehrmann stated in comparing our land value she asked them to go to page 2 and 3 of her file because we were not given any time to review the Assessor's file. She stated on page 2 (page 32 of the packet) was regarding the proposed land value which includes selection from the published, secured assessment roll. Florence Fehrmann stated we compare our land value with two other parcels that were on the same side of our road all facing the mountains and all with an unobstructed view in the back. She displayed the plat map of One Eye Drive (page 33 of the packet). She commented their lot was number 20. Florence Fehrmann stated their lot had the same assessed value as our neighbor on lot 23 but he owns ½ an acre more. She stated they were paying more per acre than both neighbors. She said lot 23, half an acre larger than our lot 20 was assessed at \$12,950; our lot is also assessed at \$12,950. Florence Fehrmann stated lot 24 follows 23, the next lot over, was ½ acre less than ours and

was assessed at \$8,750. They propose a total land value assessment of \$11,014. She stated the Petition shows the figures that may be more easily understood. She commented their proposed assessment would be midpoint between the larger lot and the smaller lot even though we have been assessed the highest amount. Florence Fehrmann stated they were assessed at \$3,600 per acre. She commented lot 23, ½ acre larger, was assessed at \$3,213 per acre. She noted lot 24, ½ an acre smaller, was assessed at \$3,017 per acre. Florence Fehrmann proposed a midpoint figure of \$3,100 per acre which would be midpoint between the larger and the smaller lots. She stated that they were told by the Assessor that our lot was “prime”.

She commented that their lot was not prime; it was equivalent to lots 23 and 24. She said we all face the mountain and all have an unobstructed view in the back yet we were charged more per acre than the other two lots. Florence Fehrmann displayed their page 7 (Assessor’s page 37). She stated they submitted new evidence which shows a recent \$8,000 Clayton Home discount so that would decrease our suggested values that we already have on the petition. She commented they saw the ad and contacted Clayton Homes after our petition had been turned in. She noted Clayton Homes verified that this discount could be used in whatever manner including reducing the sale price of the home. Florence Fehrmann stated they appeal to reduce our building taxable replacement cost to \$116,258.00. She testified that the County had placed a taxable replacement cost of \$157,277 on our modular home only.

Chairman Winer noted this information was located upon page 36 of the Assessor’s packet.

Florence Fehrmann stated Clayton Homes offers a comparable modular for \$113,270 displayed on page 5 of our packet (page 35 of the Assessor’s packet). She said they were happy to refer to the County file if they had it in time to review. Florence Fehrmann stated this was a comparable floor plan. She said Mike Hawkins at Clayton Homes quoted \$103,270 which includes the modification that was needed for modular homes in Tract 400. She stated Mr. Hawkins quoted delivery cost of approximately \$6,000. We would add an additional \$4,000 for any upgrades or difference which gives a total of \$113,270. Florence Fehrmann stated if they were interested in seeing our new evidence this was what Clayton Homes were showing for their discount which runs through March 31st of this year.

Chairman Winer noted that was just handed out to the Board (Exhibit II).

Florence Fehrmann noted the discount may be applied to the sale price of a home. She stated this added discount would give them a sale price of \$105,270. This was \$52,007 less than the County’s taxable replacement cost. She referred to their page 7 (Assessor’s packet page 37). She stated this was a copy of the total taxable replacement building cost which includes the home, the garage, hookups, cement and enclosed walkway which the County was calling a back porch. Florence Fehrmann said the Assessor’s total was \$168,265. She stated if we reduce that to

\$44,700, add the \$8,000 discount, and subtract the \$52,700, we come up with a total that we were appealing for \$116,258. She said if they multiply that by 35% to get the assessed value that would bring it down to \$40,690. Florence Fehrmann commented on the cover of the petition we would then reduce the \$124,258 taxable building value subtracting the additional \$8,000 discount which was current would give them a taxable building value of \$116,258 which they were proposing. She stated the assessed value on the Petition would also be reduced to \$40,690. She commented that in turn will change the total property value. They had originally calculated that at \$155,727 minus the \$8,000 discount that was current which they propose that as the total property value \$147,727 times the 35 percent to give you the assessed value of \$51,704. Florence Fehrmann asked the Board to consider these reductions in their values. She stated if Assessor Russell wishes to tax based upon market values instead of replacement costs NRS 361.225 must be changed by due process. She thanked the Board for their time and attention.

Assessor, Katrinka Russell, stated, pursuant to NRS 361.227 Determination of Taxable Value, she was required to use Marshall & Swift Residential Costs in calculating the ad valorem value. She said these were the costs that were applied to all residential improvements in order to reach a total replacement cost. This also maintains uniformity and equity on all residential properties appraised in Elko County. She stated due to the copious amount of time and materials spent on this particular parcel by various departments and agencies at the county and state level in the last year, a private fee appraiser was retained by the Assessor's office to complete a market appraisal (included in this packet) on this home. The indicated value on this appraisal came in at \$200,000.00. She had also included worksheets to show the three approaches to value: cost, sales and income. She stated these supporting documents will show that our ad valorem value is within the acceptable range. Based on the market appraisal, the Assessor had reduced the Fehrmanns' value to \$200,000.00. Assessor Russell stated on page 11 of the packet they had conducted a sales approach analysis and referred to the comparable properties. She stated in the column to the left of the comparable properties there was an asterisk which designated those residences as manufactured/modular homes. Assessor Russell stated there was a difference between manufactured homes and modular homes. She referred to page 12, the income approach analysis, which was not common on residential properties but as an investor if you were to purchase a rental property the investor could calculate what their return would be on the investment. Katrinka Russell analyzed market rents of monthly rental homes with two car garages and went with an average of \$1,400 monthly rent for the area. She noted the annual income would be \$16,800.00 subtracting out interest and taxes there would be an adjusted growth income of \$13,371.85. She stated using a tax rate of 7% you come up with a value of \$203,219.60. Katrinka Russell referred to page 13, cost approach analysis. She stated in doing a cost approach analysis they

have to consider various factors. She stated when looking at a comparable unit, they looked at purchasing a modular home to sit on an acre lot, which the Fehrmanns did purchase. She noted the Fehrmanns purchased the lot for \$54,000.

She stated costs provided from Fehrmanns on the comparable unit gave the delivery, set-up, upgrades. Katrinka Russell stated on a mobile home there was a 60% sales tax of the total out-the-door price that needs to be calculated. She stated they built an enclosed porch. She noted the home was upon a foundation and they have to consider the cost of the utility hookup, the concrete flatwork, the garage and the land. Assessor Russell came up with a total value of \$204,441.90 (cost approach analysis). She stated according to the sales approach analysis they have an average of \$213,810.12. Assessor Russell stated those numbers based upon those three approaches of value show that we appraised, according to Statutes, and Marshall & Swift was within reason. She noted the market value according to the appraisal (page 16 of packet) performed by an appraiser she retained; the indicated value by sales comparison approach was \$200,000 (page 18). Assessor Russell stated it was their recommendation that the Board approve the changes that she made to reflect the fair market value of \$200,000.00. She stated that was reduced from the fair market taxable value of \$205,065. The Assessor asked that the Board accept her recommendation of \$200,000.00.

Board Member Kelly Buckner requested clarification on page 13, of the note that the costs were provided from the Fehrmanns on a comparable unit.

Assessor Russell had called Clayton Homes and confirmed the amounts were correct. She stated those amounts were for a manufactured home. She had researched to find out if that model was available to be up as a modular home and Clayton Homes indicated that it was not; they would have to go with a different model. Assessor Russell stated that information was provided upon pages 14 and 15 of the packet. She stated they cannot order the Timberlake as a modular and it could only be ordered as a manufactured home. She commented Fleetwood has other models that could be ordered as modular.

Board Member Kelly Buckner inquired how the taxable value for this property in 2014-15 compared to the previous fiscal tax year.

Assessor Russell stated there was a taxable value of \$197,429 last year.

Board Member Kelly Buckner inquired if that value was adjusted after the appeal to the State Board of Equalization.

Assessor Russell replied the State Board of Equalization Board Member calculated numbers for the first year of the IM and reduced the value down. Katrinka Russell stated for the FY 2010-11 the taxable value was \$117,429 for the IM bill. Assessor Russell commented the State Board gave them a reduction for each year that they had to calculate the back taxes on.

Chairman Winer inquired about FY 2011-12.

Assessor Russell stated the 2011-12 was \$115,380 and the FY 2012-13 it was

reduced to \$114,097.

Board Member Alfred Plank inquired if the sole rationale for those values were based on any methodology used for valuing property or was that value determined to give the Petitioners a break on their back taxes.

Assessor Russell stated the rationale used on that was they did not provide sufficient information at the State Board. She explained they did not accept the new sales evidence that she provided. Assessor Russell stated the actual reason for the hearing took a left turn. She noted the Petitioners appealed the back taxes but it was brought up based upon value so it did not stay with the reason of the appeal.

Board Member Alfred Plank inquired if the State Board of Equalization used any Marshall & Swift of sales data.

Assessor Russell replied they did not they pulled numbers from thin air and she did have the opportunity to appeal that because the hearing was not conducted according to the petition and what the County Board had decided. She chose not to appeal because of the time and resources and felt the Fehrmanns had been through enough.

Board Member Robert Wines inquired if the \$117,429, \$115,380 and \$114,097 were just for the house values.

Assessor Russell stated that was for land and improvement. She had to adjust the IM bill to reflect the total. She took what had already been paid on the tax bill and reduced the IM bill to comply with the State Board of Equalization amount.

Florence Fehrmann stated it appears that the story we were telling contradicts what the Assessor was telling you. She commented one year ago when we appealed to the board here in the County it clearly said in our petition that we were appealing the assessed value as well as the supplemental taxes. Florence Fehrmann stated as she said before, under oath, Assessor Russell would not review our assessed value. She commented they had evidence that the State Board of Equalization accepted. Florence Fehrmann stated it was not a market analysis or a sales analysis; it was regarding replacement costs which the back of our assessment notice advises taxpayers that you are entitled to replacement costs. She noted their replacement costs come from the Clayton Homes which could be modified and put in place. She stated the County was giving you the total figures for the whole building and parcel which includes the garage, the cement work and the hookup. Florence Fehrmann stated we were going back to the price of the manufactured home only because that was where the problem lies. The County was assessing it at over \$50,000 more; that was not a few dollars. She commented Clayton Homes can replace our home for the values that we were suggesting. She noted the State Board of Equalization accepted our Clayton Home evidence. The reduced values were based on the difference between what the County had appraised it and what we could replace it for. Florence Fehrmann stated this was not about sales prices. She stated they were entitled to replacement costs, not sales

prices; that was not what the statute advises. She noted the statute advises replacement costs. The values that the State Board of Equalization placed, as Assessor Russell noted, were correct that was what we had in our notice of decision. Florence Fehrmann stated those values apply to our 2013-2014 taxes. Florence Fehrmann stated this was not just to go back for the supplemental billing. We appealed to the State Board because we were told by Assessor Russell to appeal to the State Board of Equalization. The supplemental taxes were not their jurisdiction. Florence Fehrmann stated we knew that and it tells you that on the cover of the County petition that tax issues goes to the Tax Commission and values go to the County then the State Board. Florence Fehrmann said the County Board of Equalization refused to review our replacement values. We went to the State Board of Equalization; they granted us a very generous reduction and that was based upon Clayton Home's replacement. She commented there was no discussion of market or sales values. Florence Fehrmann stated Assessor Russell had no evidence with her; this was in the minutes of the State Board of Equalization: *"I cannot accept your comments because you have no evidence. You are welcome to review this issue if you wish."* Florence Fehrmann stated the values for 2013-2014 were tax related. They were based upon lower assessed values granted by the State Board of Equalization; it was not in reference to the back taxes. She stated it was not their jurisdiction but having reduced the values it applied to our supplemental back taxes. She stated we were being misrepresented by the County Assessor. Florence Fehrmann stated the Assessor has turned us around for one year refusing to look at replacement costs the State Board of Equalization had accepted it and they have lowered our the taxes because of it.

Board Member Kelly Buckner inquired for taxable value was there a distinguishment between a residence that was stick built and a residence that was considered a modular and/or a mobile home that had been permanentized.

Kristin McQueary stated it depended upon the equivalency of the building code used. She stated the Assessor could speak upon the difference between the modular and manufactured housing. She noted what was allowed in the Spring Creek Association had to meet a certain building code. She stated that would be equivalent to a stick-built house and she could not remember what the code was.

Katrinka Russell stated that would be the Uniform Building Code. She noted it says in the Marshall and Swift Residential Manual that when a modular home was brought in it was to be appraised just like any stick built home. She stated both modular and manufactured homes were brought in on steel frames. The difference was the modular home was usually removed and sat upon a foundation. She noted the Fehrmanns, when they were looking at the cost of the home; they were not factoring in the costs of the utilities, foundation and everything it takes to mount that home upon that foundation. She stated a manufactured home has that steel frame underneath and it can be left on there when the home was set on a foundation.

Board Member Alfred Plank inquired, on page 36 of the packet, how close was the base cost in your records of \$107,000 to what Clayton Homes was representing as their discounted sales prices. He asked how close base cost was to what they (Clayton Homes) were stating was their sales price. He wished to compare apples to apples. Board Member Alfred Plank stated they have a base cost in the Assessor's records of \$107,689. He inquired how comparable that was to the replacement cost that brought up in the low \$113,000 range.

Katrinka Russell replied the \$157,277 includes the foundation, the electrical, the gas, etc. She had called Clayton Homes and the Clayton Homes comparable of \$113,270 was just for the manufactured home so there would be more added to that to make it a modular. She noted they could not do that to that particular model today.

Deputy Assessor, Dennis de Arietta, explained the base cost was the wall, roofing and then they add the plumbing fixtures, the shingles, the subfloor, heating and air conditioning (in this particular case there as a forced air furnace) which was added above and beyond the base cost.

Board Member Alfred Plank stated that was evident in the record but was curious what Clayton Homes may be advertising was some similar breakdown where there would be additions that were not being put out on the surface. He questioned the advertisement and if it was an accurate depiction of and apples to apples comparison. Board Member Alfred Plank stated they do not have a comparable modular that meets the codes that the Spring Creek Association requires. He stated they do offer in their package a manufactured home.

Katrinka Russell stated they could order a modular but it would be a different make and model. She stated what they have there in the flyer was for a basic manufactured home no upgrades, no nothing, and does not include delivery or additions.

Chairman Winer inquired if the Petitioners had any additional information to submit to the Board.

Florence Fehrmann stated modular homes come complete with appliances. She stated they had tile added to theirs which was considered an upgrade. She commented the modular was complete with showers/bathrooms, electrical, plumbing and everything was complete. Florence Fehrmann stated the price they were given by Mike Hawkins included preparation to set up on our property. She stated Mr. Hawkins lives in Spring Creek and knows that Tract 400 must have IRC modifications. She stated he was aware of it and included that in the price. Florence Fehrmann stated the difference between the price for the home and the whole package.

Chairman Winer inquired what she meant by the "whole package".

Florence Fehrmann stated the whole package was inclusive of the house, the garage, cement work, foundation, and utility hookups. She stated the County report

explains that. She noted on their file page 8 (Assessor's page 38) was the County report of single family residence. Florence Fehrmann stated the difference in the coding started this whole issue of the supplemental taxes. She commented the County never assessed our home. They assessed the foundation and property for five years which was past the three year limit to assessing a property. Florence Fehrmann stated the code for a stick-built home should be 200. She said the Assessor's Office had the wrong coding; they had coding for a trailer which was not permanent and was not IRC modified. She stated that was what they were running around in circles for over a year. She stated their page 8 (Assessor's packet page 38) shows the figures for the home only. Florence Fehrmann said on page 7 (Assessor's packet page 37) was the total of all the additional costs, hookup, the common area, detached garage, etc. She stated if they add the figure on the previous page and these items that gave you the whole total package for the entire residence. She commented that was why they were comparing the home only because it was transportable. She stated it was not fixed, cemented in, it was bolted in and the home could be taken out and taken away and that was why they were presenting a comparable cost, replacement cost. She commented you can replace the home itself without the foundation, without the cement. She noted this was what the State Board of Equalization fully understood and fully gave them a very reduced valuation based upon our evidence.

Board Member Kelly Buckner inquired if the Petitioners were saying their home was not permanentized on a foundation.

Frederick Fehrmann stated that was correct it was bolted on. He stated it took another contractor, a Nevada licensed contractor, who specializes in putting in homes like this. He stated the home had to be rolled in place and bolted down and leveled, whatever it is, so it was not a stick house. Frederick Fehrmann stated when we ordered the house it was a modular and it came in two pieces.

Board Member Kelly Buckner stated he understood that but Mr. Fehrmann was telling the board that their home was not on a permanentized foundation.

Frederick Fehrmann stated it was upon a foundation put there by a contractor and it was bolted on. He stated it was not a stick-house.

Chairman Winer stated it was a Modular UBC and it had been appropriately converted to a permanentized structure and the paperwork was done now.

Katrinka Russell stated a modular home did not require a real property notice.

Chairman Winer stated because it was a UBC stick built placed upon a foundation.

Frederick Fehrmann stated that was right. He stated when they first started with this argument about the legality of the house he presented to the Assessor the Bill of Sale from the manufacturer signed by the Officers of that corporation. He stated she told him it was no good because it was not a title. Frederick Fehrmann stated you did not get a title with a modular home.

Florence Fehrmann stated when we originally purchased the home she had in their file a copy of the sale document. Florence Fehrmann stated the original purchase price of their home was \$103,000. She stated the Assessor was assessing the home only, the modular, for \$50,000 more. She stated that was upon her page 4 (Assessor Packet page 34).

Kristin McQueary stated NRS 361.227 there were three ways to determine taxable value: replacement cost, comparative sales and capitalization. She stated that was where Ms. Russell reviewed the return on investment if it was a rental. Kristin McQueary stated the Assessor can use three different ways, not just replacement costs, to determine taxable value.

Chairman Winer asked when you use replacement costs does codes or statutes say you must use Marshall & Swift or can you use replacement costs presented by contractors that say it was this much.

Kristin McQueary stated the Assessor had to use what the State tells her, which was Marshall & Swift. She stated this Board had more latitude but the Assessor was bound by what the State imposes.

Chairman Winer noted the County Assessor had said it has to do with consistency and Marshall & Swift allows a consistency from taxpayer to taxpayer. He said if one taxpayer built their own house then obviously they would be into it less expensive than someone that hired a contractor to perform every service from plumbing to carpentry.

Kristin McQueary stated that was why they use Marshall & Swift for more of apples to apples comparison. She stated you may be a contractor and build your own house cheaper than if you were a homeowner builder. She noted the Assessor may inform them that they figure in quality of construction which was one of the factors used in Marshall & Swift. She stated the Marshall & Swift guide was used statewide so that the Assessors statewide would be in apples to apples comparison. She stated under the Nevada State Constitution you were supposed to have equal taxation.

Chairman Winer inquired if Marshall & Swift was a regional document or if it was a nationwide average on a plumbing cost or was it specific to their region or state.

Katrinka Russell stated Marshall & Swift was used by private fee appraisers nationally. She commented in the State of Nevada all the counties were required by law to use Marshall & Swift. She stated the appraisers whether residential or commercial use Marshall & Swift.

Chairman Winer stated if it was a nationwide document he assumed it would cost more to get a plumber in Boston than in Elko. He inquired if it was a regional document.

Katrinka Russell stated the costs were adjusted annually and there were comparable cost factors that were applied to what area you were in to help with

material costs.

Board Member Kelly Buckner inquired, by law, what do you need or how do you identify that this property was a permanentized residence or based upon construction or based upon the way it sits was it a permanentized residence so it was real property was not considered personal property.

Katrinka Russell stated that was where this problem started. She stated these modular homes UBC homes came into this area around 2006-2007 and they were not familiar with that; there were no titles on these homes. She stated that was why a couple of them fell below their radar; they were waiting for a title to come in. She stated they knew under the Spring Creek Association building codes they had to be real property. She stated they could not assess it as real property until that real property notice came in. Katrinka Russell stated they have found that a modular brought in and set upon a foundation were not considered personal property.

Chairman Winer stated UBC modular built homes were recognized by the federal government as real property thus they can be financed by the FHA and HUD. There was no additional paperwork or conversion needed so they were recognized for mortgage purposes as real property.

FREDERICK & FLORENCE FEHRMANN

Case No(s): 14-001

Parcel No(s). 049 008 020

[10:11 AM](#)

Audio A: 1:09:51

DECISION:

MOTION: Board Member Alfred Plank moved that in this case we accept the value as proposed by the Assessor's Office.

Board Member Alfred Plank stated his rationale was, as it was stated at the onset that they have enough evidence that we can determine that the assessment is more probable incorrect than it was correct and he did not think that the Petitioners had that in the various methods used to establish the costs. He stated each one of those methods exceeded the \$200,000 that the Assessor's Office is recommending and one of those methods was performed by an independent third party. He believed this house would not last on the market very long at \$147,000 total value as requested by the Petitioners.

Board Member Wes Bowlen seconded the motion.

The motion carried the following vote:

Voting Aye:	Chairman James Winer
	Member Wes Bowlen
	Member Al Plank
	Member Kelly Buckner

	Member	Robert J. Wines
Voting Nay:	None	
Abstaining:	None	
Absent:	None	

Chairman James Winer informed the Fehrmanns that they could appeal to the State Board.

The Petitioners were provided with a packet for the appeal procedure.

RECESS:

Chairman Winer called a recess at 10:13 a.m.

RECONVENED:

Chairman Winer reconvened the meeting at 10:24 a.m.

[10:24 AM](#)

Audio B: 00:08

JUDY RAE WALKER

Case No(s): 14-003

Parcel No(s): 006-31A-024

Hearing Date: February 13, 2014

[10:25 AM:](#)

Audio B: 1:14

DISCLOSURE:

Board Member Robert Wines disclosed that historically he had represented Ms. Walker in a couple of matters and did not believe any was with respect to the real property at issue. He did not believe his historical relationship with the Petitioner would affect his ability to make a decision on this matter in any way.

Kristin McQueary inquired if he had any pending business with Ms. Walker.

Board Member Robert Wines replied no.

SUBJECT MATTER:

Subject property is located at Section 30, Township 34 North, Range 56 East on Government Tracts near the E off of Lamoille Highway. The residence is a 1981 24' X 60" Great Lakes mobile home with a 126 square foot awning and a 480 square foot one side open shed.

DOCUMENTS SUBMITTED BY PETITIONER:

- I. Petition

DOCUMENTS SUBMITTED BY ASSESSOR FOR THE RECORD:

1. Letter to Board

EXHIBITS SUBMITTED BY ASSESSOR'S OFFICE:

A. Improvement Values, Taxable Valuations, Legal Description, Chain of Title, Parcel Map, Building Sketch, Building Photo, Aerial Photo, Assessor's Evidence, Assessor's Recommendation.

APPRAISER, PREVIOUSLY SWORN IN: SARA ROMERO

SUMMARY:

Petitioner appealed the increase in the improvement value for the 2014-2015 tax year. Petitioner has not added or built any new improvements to her property since 1997 and feels she is being taxed as if they were new and finds it unfair.

Audio: 15:43

DISCOVERY:

Pursuant to NRS 361.227, Determination of Taxable Value, the Assessor was required to use the Marshall & Swift residential costs in calculating the ad valorem taxes. These costs were applied to all residential improvements in order to reach a total replacement cost. Depreciation must be calculated at 1.5 percent of the cost of replacement for each year of adjusted actual age of the improvement, up to a maximum of 50 years. All improvements were being assessed for what was there. The Parcel was being assessed for a mobile home hookup, pole barn shed, wood awning and concrete flatwork. The mobile home was taxed separately on the unsecured roll. The improvement value for the 2013-14 tax year was \$13,877 and for the 2014-15 tax year it increased to \$14,731, which reflects an increase of \$856.00. Sara Romero stated there was an error in the hookup cost when doing their cost manual. She stated it was higher than it should have been. Sara Romero stated they reviewed those costs and made the adjustment. She stated there was a decrease in the value. She commented that was why the numbers did not match her assessment notice. Sara Romero stated the numbers in the packet were correct.

ASSESSOR'S RECOMMENDATION:

The Assessor's Office recommends the Board make no changes and uphold the values as assessed.

[10:24 AM:](#)

Audio B: 00:35

PETITIONER SWORN IN: JUDY RAE WALKER

[10:27 AM:](#)

Audio B: 03:11

DISCUSSION:

Petitioner referred to her tax notice (no copies were provided to the Board). Ms. Walker stated there senior discount rebate went away six years ago which helped her out a great deal and paid her taxes promptly and in full. She inquired if the senior discount came from the state.

Katrinka Russell, Assessor, stated the rebate went away two years ago and we are working to bring it back. She stated the rebate came through the state but it was monitored through the county.

Judy Walker stated she missed that check and her taxes had gone up. Petitioner resented being taxed as though her buildings were new. She stated a lot of them have been there for fifteen to twenty years. Judy Walker stated any increase takes a big dip out of her Social Security check and that was her total income. She stated this morning she was handed the Assessor's packet which the figures were not the same as on her tax notice. Judy Walker displayed the Secured Property Master Update (page 12 of the Assessor's packet). She commented the notice had a taxable value of \$20,223 for 2014-15 but on the exhibit the taxable value was \$19,246. She did not understand the difference. Judy Walker requested the Board to accept her building values as they were because they were older now and not newer, and tax her accordingly.

Board Member Wes Bowlen stated it appears on page 4 of the Assessor's packet the increase was caused by \$1,833 for a hookup. He stated many years ago they had a similar situation as this. He made a reference to a prior Petitioner who protested his replacement value. Board Member Wes Bowlen stated the Assessor was directed to go to Marshall & Swift and sometimes they have to ask if it was fair. He stated you have to look at the building and if it would be salable.

Petitioner, Judy Walker, noted the difference was in the structures and the last thing she built was the pole barn shed.

Board Member Wes Bowlen stated the Petitioner had been charged an additional \$2.00 for her pole barn shed.

Petitioner responded the difference on her tax notice was \$1,832 assessed value which equates to a lot of money from her income. She stated any increase that takes from her Social Security was a hardship on her.

Board Member Wes Bowlen asked the Appraiser on the pole barn if they were taxed upon the RCNLD which was the increase.

Appraiser, Sara Romero, replied the RCNLD was the replacement cost new less depreciation.

Board Member Wes Bowlen stated the only additional tax added would be the \$2.00.

Sara Romero responded replied yes; that was the increase on the pole/barn shed.

Board Member Wes Bowlen inquired if the taxes would be the same as last

year.

Sara Romero stated the value increase was \$2.00.

Judy Walker stated she was not here to argue over \$2.00. She commented it came to more than that when she was in the office.

Board Member Robert Wines stated on page 4 of the Assessor's document breaks down the difference

Judy Walker stated she just received this packet this morning. She only had her tax notice and saw the taxes had increased which was quite a bit from her income.

Board Member Robert Wines stated on page 4 it states she had a pole barn in 1997. He inquired if the poles were buried in the ground or concrete around the poles.

Judy Walker replied they used as auger to drill the holes in the ground.

Board Member Robert Wines inquired if they poured concrete around the poles.

Petitioner responded no.

Board Member Robert Wines stated the wood awning built in 1997 he inquired if the outside supports were in the ground or concreted in.

Petitioner stated that she poured concrete around the awning supports herself when the supports were already in the ground.

Board Member Robert Wines inquired who did the mobile home hookup in 1989 for the electrical, sewer and water.

Petitioner responded various contractors did those.

Board Member Robert Wines inquired what condition the concrete pad was in.

Petitioner responded Sharp Concrete did the cement work and it was in good shape.

[10:41 AM:](#)

Audio B: 17:33

DISCUSSION:

Board Member Robert Wines inquired what the difference was.

Sara Romero explained the \$20,000 was her value when the assessment notices went out. She stated after the review they discovered an error in the water well hookup cost so they had adjusted the value. Sara Romero had spoken to the Petitioner on the phone regarding this decrease.

Board Member Robert Wines inquired what Marshall & Swift said the life expectancy was of a mobile home.

Board Member James Winer stated there was a depreciation factor.

Katrinka Russell replied a 30 year life because there may be different components that breakdown or wear out. She believed with general maintenance that life could be extended beyond that.

Board Member Robert Wines voiced concerned that the pole barn support was buried in the ground and not in concrete.

Katrinka Russell stated they ran it as a low shed cost.

Board Member Robert Wines stated if the poles were buried in the ground there would be a less live span than if the poles were concreted in.

Katrinka Russell stated they ran the pole barn as a shed type II which meant one side open with classes 1 through 4. She stated they ran it as a 2 so typically \$782 a square foot brand new then it was depreciated at 1.5% for the pole barn. She commented they had the total cost of \$3,750 to replace it and depreciated it down to \$2,797.00.

Board Member Robert Wines inquired what type 2 was, different materials, etc.

Katrinka Russell stated type 1 was the highest ratings and noted there were only 3 classifications for shed so the Petitioner's pole barn was classified in the middle classification. She stated shed type 1 would have four enclosed walls and flooring. This structure had one side open and no floor.

Board Member James Winer stated on the total costs \$1,671 that was an 11% increase on the reconciled values. He inquired about a cap on the increase.

Katrinka Russell had complained to the Department of Taxation this year because Marshall & Swift replacement costs had went up.

Board Member James Winer inquired what the cap was.

Katrinka Russell stated it was capped at three percent.

Katrinka Russell stated the total increase was \$21.93 on her property taxes and would be capped at three percent from what she paid last year.

Board Member James Winer asked about the percentage

Katrinka Russell stated secure taxes were \$164,094 based upon the last year tax rate so they could go up to \$169,088 which falls under the 3% cap.

Board Member James Winer stated if there was no 3% cap it would have gone up higher because of the Marshall & Swift numbers had gone up.

Katrinka Russell stated the tax cap was to protect owners of the increase in taxes.

Board Member Robert Wines inquired how the local costs of installing the mobile home, hookups, water lines, electricity and sewer/septic had increased or were they going from the increase in Marshall & Swift.

Katrinka Russell stated the local costs were calculated by the state through a study they compare the costs statewide then the cost were averaged in the rural cost manual. The Assessor stated they called around to get the current local costs and go with whatever was lower.

Board Member James Winer inquired what the lower costs were.

Katrinka Russell stated she did not have that information at this time before her.

Board Member Wes Bowlen inquired if \$1,671 was the lowest cost for the

mobile home hookup.

Katrinka Russell replied in the affirmative and stated that was what it would cost to put in brand new.

Sara Romero stated the \$110,501 was the depreciation.

Board Member Kelly Buckner inquired how much additional taxes Petitioner would be required to pay compared to the 2013-14 tax.

Assessor Russell replied \$4.94.

Board Member Wes Bowlen asked if that was how much her tax bill would go up if it stands as it now was. He received an affirmative response from the Assessor.

Board Member Robert Wines inquired if that was because of the cap and received an affirmative response. He asked if the Board adopts these numbers this year and Petitioner pays the \$4.94 would that 3% cap apply next year and the taxes could be raised next year. He inquired if the cap applied now would make it \$169,088 and would that remain the same until there was reassessment.

Katrinka Russell replied it would increase by the three percent each year.

Board Member James Winer inquired how often the reassessment was done.

Assessor Russell replied that was done annually.

Board Member James Winer noted the Las Vegas numbers had went down.

Petitioner stated she could afford the \$4.94 this year but would hate to see it continue to incline. She stated her social security amount was set and she could not afford the increase of taxes each year. She would cover the \$4.94 this year and voiced appreciation to them for their time.

JUDY RAE WALKER

Case No(s): 14-003

Parcel No(s). 006-31A-024

[10:53 AM:](#)

Audio B: 29:23

DECISION:

MOTION: Board Member Wes Bowlen moved to accept the Assessor's recommendation of \$19,246 taxable value.

Board Member Wes Bowlen stated his rationale was Ms. Walker had accepted the slight increase in her taxes and he did not believe there was any reason to amend that.

Board Member Kelly Buckner seconded the motion.

Board Member Robert Wines voiced concern about the increase in the mobile home hookup charge of \$1,671.00. He stated this would not affect the Petitioner this year but would affect her next year because there would be another 3% increase.

He would be opposed to that based upon the fact that this was a twenty-five year old system. Board Member Robert Wines would have no problem with the Board holding a line on the preexisting value of \$15,130 and allowing the increase on the other three. He would vote against the motion because he did not think the increased assessment on the mobile home hookup was justified.

The motion carried the following vote:

Voting Aye:	Chairman James Winer
	Member Wes Bowlen
	Member Al Plank
	Member Kelly Buckner

Voting Nay:	Member Robert Wines
Abstaining:	None
Absent:	None

Chairman Winer informed the Petitioner that she may appeal to the State Board of Equalization.

Ms. Walker was provided a packet containing appeal forms.

[10:55 AM:](#)

Audio B: 31:33

DONALD WOO FAMILY TRUST

Case No: 14-004

Parcel No: 056 001 006

Hearing Date: February 13, 2014

[10:56 AM:](#)

Audio B: 32:00

DISCLOSURE:

Board Member Kelly Buckner disclosed he was President of the Elko Federal Credit Union and we have a business relationship with Mr. Woo on this particular property and recused himself from discussion and vote.

SUBJECT MATTER:

Subject property is located at 219 Holyoke Drive in Spring Creek, Nevada. The owner built residence is 7,399 square feet with a 2,057 square foot finished basement, a 1,921 square foot built in garage and a 1,134 square foot attached garage. The residence is on 5.190 acres.

DOCUMENTS SUBMITTED BY PETITIONER:

I. Petitioner, Donald Woo, testified that they had received the letter late in the mail. So they did not have time by the deadline to submit evidence.

EXHIBITS SUBMITTED BY TAXPAYER/PETITIONER: None

DOCUMENTS SUBMITTED BY ASSESSOR FOR THE RECORD:

1. Letter to Board

EXHIBITS SUBMITTED BY ASSESSOR'S OFFICE:

A. Petition, Classifications of Quality, Quality Sales, Taxable Valuations, Legal Description, Chain of Title, Parcel Map, Building Sketch, Building Photos, Aerial Photo, Assessor's Evidence, Assessor's Recommendation, and Real Property Comparison Charts.

APPRAISER, PREVIOUSLY SWORN IN: SARA ROMERO

SUMMARY:

Petitioners appealed the land and improvement values and stated property taxes were 2 to 5 times higher than others in their area. Petitioners derive a value of \$400,000 for land and improvements.

Audio B: 45:01

DISCOVERY:

Pursuant to NRS 361.277, Determination of Taxable Value, we are required to use the Marshall & Swift Residential costs in calculating the ad valorem taxes. These costs are applied to all residential improvements in order to reach a total replacement cost.

The Assessor's Office looked at the classification between a Good Quality (Class 4.0) and Average Quality (Class 3.0) and felt the subject property had many good qualities as well as average qualities. They made the determination to lower the quality of the subject from a Good Quality (Class 4.0) to a Class 3.5 which is a classification between an Average and Good Quality. The Assessor's Office felt they could justify lowering it based on the basic box structure on the exterior of the home. In doing so, it lowered the residence value from \$841,800 to \$742,614. Upon receiving the petition a re-appraisal of the property was completed and the concrete driveway and retaining wall were discovered which added \$30,706 to the improvement value making it a total of \$773,320. Currently the land value is \$40,000 which we derived by vacant land sales in the area. Adding the land value of \$40,000 to the improvement value gives an overall value of \$813,320.

In reviewing sales in Elko County there were no other properties that compare

to the subject property based on square foot. Based on sales of similar quality to the subject property in Elko and Spring Creek, we have derived an average sales price per square foot to be \$124.18. In reviewing sales on properties in the Good Quality (Class 4.0) to Very Good Quality (Class 5.0) we derived an average sales price per square foot to be \$160.78. These values are based on the residence only. We took out the land value, the basement and any other improvements were excluded from the square foot price. Subject property prices per square foot come to \$104.52 excluding the land value, basement and all other improvements.

ASSESSOR'S RECOMMENDATION:

The Assessor's Office recommends that the value remain at \$813,320 for the 2014-15 fiscal years based on RCNLD for the building and improvements and current market sales for the land.

[11:01 AM](#)

Audio B: 32:00

PETITIONERS SWORN IN: DONALD K. WOO & SHANNON L. WOO

DISCUSSION:

The Assessor presented additional evidence: 219 Holyoke Drive real estate listing dated October 11, 2011. (Assessor's Exhibit # B)

Petitioner, Donald Woo, stated it was difficult after putting all the hard work in the house and then saying it was not worth much. He stated they built this house with their own hands over a three year period. He knew it was the biggest house in the neighborhood. Petitioner stated they built it with the idea that their seven kids as they grew up would have room for family reunions and things like that. He stated they did not realize they would get taxed equivalent to another mortgage. Petitioners had looked at what neighbors pay and there was quite a bit difference. He gave an overview on a story he heard from Las Vegas where a couple built their house in the 1970's and retired, was upon a fixed income, and was basically taxed out of their house. He stated now those folks could not afford their house. Petitioner Woo stated he wanted to tackle that problem now before it gets later in life. He would not argue the value of the house but did not think the amount of tax justifies a lot. He stated they all go to the same parks, their kids go to the same schools, drive on the same roads with no special privileges for paying the higher taxes. Petitioner Woo stated the overall amount they would like to dispute. He acknowledged the Assessor had laws and rules they have to live by but thought they have the authority to make exceptions to the rule. Petitioner, Donald Woo, inquired if this was the only commission that could lower taxes.

Board Member James Winer reviewed the appeal procedure from the County Board to the State Board of Equalization.

Petitioner, Donald Woo stated he did not want to be 3% above what everybody else pays.

Chairman Winer clarified Petitioner wants to know the basis of tax when you build a home compared to the increase of 3% increase every year. He stated we just built a new house 3 years ago and was assessed as a new house at 3 years ago. Chairman Winer stated his personal taxes were pretty high compared to another house in Elko with the same footage built 20 years old so the depreciation was factored in. He knew his taxes were higher because he built today at higher costs. He did have the 3% tax cap. Chairman Winer stated he inhaled when he received his first tax bill on his new house constructed three years ago.

Katrinka Russell stated the 3% tax cap was upon existing property. She stated when you build a new house that was considered new value. She stated when they put in replacement cost it establishes that value. She stated next year when the values go up then the 3% would go into effect. Assessor Russell stated the first year the home was on the tax roll it was considered new value and there was no tax cap.

Petitioner, Donald Woo, stated they paid \$400,000 out of pocket building the house and he did that himself. He stated they were being taxed at a greater amount than that. He asked if there was anything they could do for that. He paid taxes on all the materials put into the house.

Chairman Winer commented the Assessor's Office had statutory tax laws they have to abide by and to be on an even playing field they use Marshall & Swift.

Katrinka Russell stated Petitioner made a comment that he had \$400,000 into the home. She inquired if Petitioner had put a price tag on his time and labor. Assessor Russell stated when we appraise a house Marshall & Swift they had to calculate materials and labor too so it was under one price.

Petitioner, Donald Woo, stated the advantage of building it yourself was free labor so you can get more for your money when you were completed.

Assessor, Katrinka Russell, stated they had built their own house and it cost only \$80,000 in material but the appraisal was coming in at \$350,000 so she understood his concern.

Petitioner, Donald Woo, stated they took out the home equity line of credit used for business means and they tried an appraisal online under Trulia which set the value at \$411,000. He stated the online appraisal had the square footage, etc.

Chairman Winer explained Trulia was a realtor web site which shows things for sale and shows partial analysis based off of the computer pulls at random, record of sale comparables. He stated that was a broad answer. Chairman Winer stated Zillow was another site that gave broad based numbers.

Board Member Wes Bowlen inquired if that was the figure that he would ask for the house (holding up Assessor's Exhibit B – real estate listing).

Petitioner, Donald Woo, replied no. He stated the house was not up for sale; that was for a friend who wanted a price so he quoted \$1,350,000 but of course they

never received any interest back on it. He noted the real estate listing had expired and asked that they disregard that.

Board Member Wes Bowlen inquired if it had any relevance on what they were talking about.

Petitioner, Donald Woo, replied no, he stated they were not disputing value. He stated they do not want to be taxed at this value. Petitioner stated he would like them to do what they could do to get it to a reasonable amount per year given the neighborhood. He stated they would never get that out of it because the big house was in that neighborhood. Petitioner stated he never built it with the idea that they would turn around and resale it to make a profit on it.

Audio B: 47:24

DISCUSSION:

Board Member Robert Wines inquired by excluding the improvements; were they talking about excluding the built in garage of 1,920 square feet.

Appraiser, Sara Romero stated they were talking about the house 7,399 square feet.

Chairman Winer inquired, from the sales market approach, did they find anything that sold which was comparable.

Sara Romero stated on page 5 of the Assessor's packet was the comparable sales that she highlighted. She noted the average to good quality residence sales highlighted was the biggest house for sale at 3,876 square feet. She noted at very good quality the biggest house was 5,604 square feet.

Chairman Winer inquired when they do these evaluations did they take into consideration how much was above grade versus how much was below grade. He believed fee simple appraisers will appraise less per square foot for good than for above grade. He inquired if they made those adjustments.

Appraiser, Sara Romero, stated the 7,399 square feet was the main living floor and the second floor. She stated that does not include the basement because the basement was under grade but it was also a walk out basement.

Chairman Winer felt that meant the value was somewhere above grade. He inquired if there were unfinished portions of the house that would be under below grade.

Appraiser, Sara Romero, replied no. She stated the whole basement was finished.

Petitioner, Donald Woo, inquired what the assessed value was upon the driveway.

Chairman Winer understood it was approximately \$30,000.

Appraiser, Sara Romero, replied that was for the concrete and retaining wall.

Petitioner, Donald Woo, stated when they did the driveway he paid \$10,000 in materials and \$6,000 for a crew from Salt Lake City so he had \$16,000 invested in

the driveway for the concrete and labor.

Appraiser, Sara Romero, stated just for the concrete flatwork they had a replacement cost of \$19,878 which cost came from Marshall & Swift.

Petitioner, Donald Woo, inquired if the concrete depreciates each year. He knew concrete dries up, peels and flakes which their concrete was doing now. He stated in the upstairs the master bathroom was not complete

Katrinka Russell stated they would be happy to do a walk through and adjust for that.

Chairman Winer inquired if there were other areas that were unfinished or partially unfinished.

Petitioner, Donald Woo, inquired if they had mentioned a finished garage.

Appraiser, Sara Romero, replied on the attached garage they were adding for a finished and on the built-in as well. When she originally assessed it, it was sheetrocked in the garage.

Petitioner, Donald Woo, stated on the north side of the garage was plywood and not stucco. He stated they shortened the door on the below grade garage. He noted the balcony deck that you can see from the aerial shot was not finished and also the one off of the master bedroom.

Appraiser, Sara Romero, stated the balcony on top of the garage was not being charged. She was unsure what other balcony he was talking about.

Petitioner, Donald Woo, if they look at first picture, left of the unfinished garage.

Appraiser, Sara Romero, inquired if that was the one off of the second floor.

Petitioner, Donald Woo, replied yes. He stated that balcony may have been added in as square footage.

Appraiser, Sara Romero referred them to page 10, the building sketch. She read her notes: "*Second balcony counted as living space. Was not shown on plans and was not able to get in the home to measure.*"

Petitioner, Donald Woo, inquired if that could be deducted from the living space.

Appraiser, Sara Romero, replied she had included it because she could not get up there to measure it.

Petitioner, Donald Woo, inquired about the area in the red. He stated as you walk into the house a lot of times they will take that living space and assume that it was second floor. He stated it was not living space it was just a high ceiling.

Appraiser, Sara Romero, explained the red on the building sketch of page 10 indicated the basement and blue line indicates the second floor.

Petitioner, Donald Woo, inquired if the red line would also indicate open ceiling because there was not floor space up above. He stated as you walk into the house you look up.

Assessor Katrinka Russell stated they could see that it was open (holding up

Exhibit B the real estate listing picture).

Board Member Robert Wines understood the Petitioner said it cost about \$16,000 to put the concrete in: \$10,000 for materials and \$6,000 for labor.

Petitioner, Donald Woo, responded yes, that was right.

Board Member Robert Wines noted the Assessor had it appraised at \$19,000.

DONALD WOO FAMILY TRUST

Case No: 14-004

Parcel No: 056 001 006

[11:21 AM](#)

Audio B: 57:07

DECISION:

MOTION: Board Member Robert Wines moved to apply the Assessor's taxable value of \$813,320 as set forth on page 6 (Assessor's Evidence).

Board Member Robert Wines stated the Assessor had addressed a lot of the things that Mr. Woo wanted the Assessor to consider as well as the reduction of valuation from grade 4 to grade 3.5.

Chairman Winer inquired what his rationale was.

Board Member Robert Wines stated his rationale was the Assessor's determination of value was in line with what they were required to do and he did not find anything that the Petitioners presented would change that value.

Board Member Al Plank seconded the motion.

The motion carried the following vote:

Voting Aye:	Chairman James Winer
	Member Wes Bowlen
	Member Al Plank
	Member Robert J. Wines
Voting Nay:	None
Abstaining:	Member Kelly Buckner
Absent:	None

Chairman Winer explained the appeal process to the State Board of Equalization.

Deputy Clerk Merkley provided the Petitioners with an appeal packet for appeal to the State Board of Equalization

Petitioner, Donald Woo, inquired if they went by the same set of rules.

Kristin McQueary stated they will look at the case on record unless there was any later discovered evidence that could not be reasonably, timely brought before

this board. She stated there was information on line with the State Board of Equalization that the Petitioners could review.

Board Member Alfred Plank stated the County Board was charged with values but tax rates were a different matter. He understood that Mr. Woo was looking for more of an adjustment to the tax rate than with the value. He wanted to make it clear that this board dealt with values and felt the rates were legislative.

Kristin McQueary explained it was a combination of factors the County, the State Tax Commission, any special districts get layered on top, so that was why the tax cap was in place.

[11:33 AM](#)

Audio B: 101:02

DISCUSSION:

Chairman Winer noted they have one more case left and review of the rolls and withdrawals. He stated they could do the last case or see if they could get through it within twenty minutes and come back after lunch for the withdrawals, etc.

Board Member Robert Wines asked that they go through the rolls now and hold the last appeal until after lunch.

[11:35 AM](#)

Audio B: 1:01:55

APPROVAL OF MINUTES:

MOTION: Board Member Kelly Buckner moved to approve the minutes for the Board of Equalization meeting held on February 21, 2013. Board Member Alfred Plank seconded the motion.

The motion carried the following vote:

Voting Aye:	Member	Wes Bowlen
	Member	Al Plank
	Member	Kelly Buckner
	Member	James Winer

Voting Nay:	None	
Abstaining:	Member	Robert J. Wines
Absent:	None	

[11:36 AM:](#)

Audio B: 1:02:51

APPROVAL OF RE-OPENED ROLL CHANGE LOGS:

The County Assessor, Katrinka Russell, submitted a written list of the roll change log for review. The Assessor explained the changes made to individual parcels, applied exemptions, along with the addition of new construction to the tax

roll. The Board Members reviewed individual roll change logs with the Assessor. The Assessor submitted a written listing of the log roll changes.

[11:47 AM](#)

Audio B:

MOTION: Board Member Robert Wines moved that they approve the changes on the re-opened roll change logs as presented by the Assessor. Board Member Wes Bowlen seconded the motion.

The motion carried the following vote:

Voting Aye:	Member	Wes Bowlen
	Member	Kelly Buckner
	Member	Al Plank
	Member	James Winer
	Member	Robert J. Wines
Voting Nay:	None	
Abstaining:	None	
Absent:	None	

[11:47:54 AM](#)

Audio B: 1:14:20

APPROVAL OF WITHDRAWALS:

The Assessor, Katrinka Russell, submitted a written summary of the Petitions that were withdrawn.

Chairman Winer noted they had Kumb Dass JI LLC, Case No 14-005, APN 009 005 013 who had just withdrawn this morning which brought the total to seven withdraws prior to this meeting.

Board Member Robert Wines questioned if they had just discussed one that was withdrawn.

Katrinka Russell stated Case No. 14-005 was just withdrawn this morning so it should be added to the withdrawal list.

[11:49:18 AM](#)

Audio B: 1:16:18

MOTION: Board Member Kelly Buckner moved that the Board accept the withdrawal list with the addition of the withdrawal that was decided this morning.

Board Member Alfred Plank seconded the motion.

The motion carried the following vote:

Voting Aye:	Member	Wes Bowlen
	Member	Kelly Buckner
	Member	Al Plank

	Member	James Winer
	Member	Robert J. Wines
Voting Nay:	None	
Abstaining:	None	
Absent:	None	

[11:50 AM](#)

Audio B: 1:17:27

RECESS:

Chairman Winer called a recess at 11:50 p.m. and stated they would return at 1:15 p.m.

Kristin McQueary cautioned them during lunch not to speak about Board of Equalization business.

[1:23 PM](#)

Audio C: 00:13

RECONVENED:

Chairman Winer reconvened the meeting at 1:23 p.m.

[1:23 PM](#)

Audio C: 00:23

NOUHGT TECHNOLOGIES LLC

Case No: 14 – 010

Parcel No: 001 560 069

Hearing Date: February 13, 2014

Chairman James Winer noted for the record that the Petitioner had requested to attend telephonically. He stated because of the limitation of our electronics and the phone does not pick up well and record that request was denied. He stated last year it was tried and the recording did not work well.

SUBJECT MATTER:

Subject property is a 9.380 acre parcel located in the east end of Elko on 30th Street adjacent to Manzanita Drive. The address is 545 30th Street. This is the site of the former Latham Motors. Situated on the parcel is a 30' x 74' manufactured trailer on a foundation with a 1,924 square foot detail shop/garage on an asphalt parking lot with pole lights and other site improvements. Nohugt Technologies purchased this property in February of 2012 for \$610,000. Details on this sale were not available from either the grantee or grantor. Details were available after the

previous owner was finished with a lawsuit filed by a bank for credit violations. The parcel is not currently being used for what the improvements were intended for. I have asked if the current owner has made attempts to lease or sell the property with no response.

DOCUMENTS SUBMITTED BY PETITIONER:

Katrinka Russell presented the Exhibits submitted by the Petitioner.

EXHIBITS SUBMITTED BY PETITIONER:

I. Petition, letters to Board dated 1/14/14, 1/17/24 and 2/13/14, Agency Authorization, Summary of Property, Market, Subject Sale, Market Comparison Information, Rebuttal of Assessor's Evidence, Petitioner's Evidence (inclusive of market comparables).

DOCUMENTS SUBMITTED BY ASSESSOR FOR THE RECORD:

1. Letter to Board

EXHIBITS SUBMITTED BY ASSESSOR'S OFFICE:

A. Reason for Appeal, Legal Description, Chain of Title, Parcel Map, Building Sketch, Parcel Photo, Parcel Sketch, Aerial Photo, Property Appraisal, Assessor's Evidence (inclusive of market sales), and Assessor's Recommendation.

APPRAISER, PREVIOUSLY SWORN IN: JANET IRIBARNE

SUMMARY:

Petitioner's Tax Representative contends that the valuation of this property, a 1,924 square foot building should be valued at \$125,000. He is not taking into account all the improvements to the parcel. Petitioner's Representative was concerned that there was an 11% increase in the improvement value. The Assessor expressed a similar concern to the Department of Taxation when reviewing the annual re-costing through Marshall and Swift. This value will be capped at 7.9% due to the tax cap abatement. The Assessor is required per NRS 361.227 to use the Marshall & Swift cost tables and there is an extraordinary amount of asphalt and lighting on this parcel. This parcel received a reduction in the cost per acre on the land value due to the size of the parcel and because the sales in the area justified it. This year we have sales that hold that value if not increase it.

DISCOVERY:

Petitioner's Tax Representative contends that current economic conditions

support a lower value. Subject property sold for \$610,000 on February 27, 2012. It was confirmed that it was a “distressed” sale since this is the site of the now closed Latham Motors.

ASSESSOR’S RECOMMENDATION:

The Assessor’s Office recommends that the Board leave the values as is.

PETITIONER’S REPRESENTATIVE SWORN IN: None

Katrinka Russell presented the case for petitioner.

[1:27 PM](#)

Audio C: 4:07

DISCUSSION

Katrinka Russell reviewed the Petitioner’s Exhibit I inclusive of the cover page Petitioner gave a history of the Assessor’s values over the past two years: 2013 full cash value of \$1,250,000 with their calculations of \$649.82 per square feet; the full cash value now is \$1,312,326 which works out to be \$682.08 per square feet. Petitioner stated based upon their analysis they were requesting the following value for this property: Market \$847,019 at \$440.24 per square feet which was the requested value. Katrinka Russell stated on page 3 there was a Summary of the Property: Location 545 30th Street; Major Cross Streets: 30th Street and Manzanita Lane; Owner: Nought Technologies LLC; Effective Year: 2006; Building Square Feet: 1,924; Land Square Feet: 408,593 (9.380 Acres); Land/Build/Ratio: 212.37; 2014 Land Value: \$703,500 which is \$1.72 per square feet; 2014 Improvement Value \$608,826 which is \$316.44 per square feet. The note stated \$316.44 per square feet was for the improvements alone. 2014 Taxable value: \$1,312,326 was at \$628.08 per square feet. Katrinka Russell stated there was a Note as follows: *Please Note- There is a Rebuttal of Assessor’s Evidence section included at the end of this packet.*

Board Member Robert Wines inquired if this was a recap of what the Assessor was saying it was. He inquired if this was what the Petitioner’s think and how they were getting the values.

Katrinka Russell believed there were some errors.

Board Member Robert Wines noted it was close to the numbers on the prior page of the total taxable value of \$1,312,326.

Katrinka Russell stated on page 4 of the Petitioner’s exhibit it showed comparables in market. She read the parcel numbers, sales price, sale date, building square feet, acres, when built and price per square feet for the four parcels. The average was \$74.59 per square feet. The market supported value was \$143,519, the County’s land value \$703,500 and the total market value was \$847,019. Katrinka Russell read the following note from Petitioner’s page 4 as

follows: *“Even though the comparables above have land included in the sale, they still support a dollar per square foot much less than the subject’s IMP dollar per square foot. To be conservative, we can say the average dollar per square foot value of these sales should be no higher than the subject’s improvement dollar per square foot alone. Then, on top of that, we can add in the County’s land value of \$703,500 (see above). This double counts some of the land, but even doing so, the indicated value is much lower than the County’s value for the subject. This should raise some flags.”* Katrinka Russell read page 5 of the Petitioner’s exhibit into the record: *“Subject Sale: As much as the county assessor’s office doesn’t like to admit it, there is a subject sale that occurred on 2/27/12 for \$610,000 (see the next two pages). The County says this was a non-market transaction, but is relevant in showing that the current valuation is too high. If the subject sale price is adjusted upward to calm the county’s nerves about using it, it would support the \$847,019 value above. All signs, including (1) the fact that complete properties (land and building) in the county sell for less than the subject’s improvement dollar per square foot alone, (2) the subject’s own purchase price of \$610,000, and (3) the \$608,826 improvement value for a 1,924 square foot building (\$316 per square foot), point to the conclusion that the subject is overvalued.”* Katrinka Russell stated page 6 was a printout of the Elko County website showing parcel number, legal owner, mailing address and who the seller and buyer were, the assessed value the property transfer tax paid and the title company was Stewart Title. She noted page 7 was a continuation of the printout. Katrinka Russell stated on page 8 indicates the market value and the requested value of \$847,019. She noted on page 9 was the cover page for the market comparable information. Katrinka Russell stated on page 10 was a comparable sale of Good Morning Furniture indicating sale was October 1, 2013, sale price was \$2.5 million dollars and the details of the property for the building size was 37,061 square feet, on a lot size of 1.74 acres, the parcel number was 001-560-081. The printout shows the buyer and the seller and the sale involves mortgage financing with the lender identified as Guttry Family Trust. On page 11 there was another comparable sale of 1345 Water Street, Elko, Nevada. Katrinka Russell stated the sale date was October 23, 2013 with a sales price of \$1.4 million dollars which equates to \$72.99 per square foot. She noted the property type indicates retail and the building size was 19,180 square feet on a lot size of 1.66 acres. Parcel number was 001-630-059. The sale involves mortgage financing, lender identified as Nevada State Bank. Katrinka Russell stated on page 12 was another comparable sale on 5241 Manzanita Drive, Elko. The sale date was August 15, 2012 for a sales price of \$220,000 which equates to \$83.33 per square feet. She stated the property type was retail and the building size was 2,640 square feet on a .78 acre parcel. The parcel number was 001-860-084. The seller was Bret and Kathryn Murphy and the Buyer was Neff’s Diesel Repair & Performance. The sale financing was through lender, Nevada Bank and Trust.

Katrinka Russell stated on page 13 was the Rebuttal of Assessor's Evidence. She read as follows: *"Ms. Russell provided me with the following two land sales claiming they support the County's land value: Parcel 001-560-082 sold on March 27, 2013, for a sales price of \$120,000 to Gallagher. It was a .75 acre piece for \$160,000 per acre and \$3.67 per square feet."* Katrinka Russell read the second land sale as follows: *"Parcel number 001-560-057 sold on May 22, 2013, for \$25,001, to Janet Pescio which was .12 acres for \$217,400 per acre and was \$4.99 per square feet. 'She said "These two parcels are in close proximity to the subject parcel. I have more but those two stood out." If these are the County's land sales that stand out, then there is an issue with how the land is being valued. Just to make it clear, I am not disputing the County's land value at this time; our concern is with the extraordinarily high improvement value for such a small structure (1,924 square feet). With that said, to suggest that the sale of a .12 acre (5,227 square feet) piece of land or even a .75 acre (32,670 square feet) piece of land could be used to support the value of a 9.38 acre (408,593 square feet) piece of land is beyond imagination. To do so, would be to completely throw out all logic and also the concept of economies of scale. The smaller of these two sales is only 1.3% the size of the subject property. The larger of the two is only 8% the size of the subject property. Any adjustment so big for economies of sale would have to be made to these sales that they would be rendered completely unreliable."*

Appraiser, Janet Iribarne, asked the Board to look at the aerial photo on page 14 of the Assessor's packet. She noted there was excess land that was not being utilized. She stated it was over a 9 acre parcel and only approximately 5 acres were utilized as a car dealership currently being used by Veris Gold. She stated Veris Gold was utilizing it as a parking lot. Janet Iribarne stated they had asked for information about their lease but did not receive that. She noted they were utilizing the all of the buildings on that property and currently had a building permit out on the building in question to add offices into the 1,924 square foot building. Janet Iribarne stated in his sale of \$610,000 he does not talk about the mobile home that was included. She stated that would increase the value. Janet Iribarne commented most of the value on this property, 54% of the taxable value was for the land. She stated 10% was for the building that Petitioner was talking about. The mobile home, foundation and sidewalk were 2% and 35% of the taxable value was attributed to yard improvements. Janet Iribarne stated he was looking at the sale and dividing it by the 1,934 square foot building to come up with his amount in his packet.

Board Member Kelly Buckner stated on page 15 of the Assessor's packet it shows the shop and inquired if that included the permanentized mobile home or not.

Appraiser, Janet Iribarne, stated it does not. She stated the mobile home was considered personal property and was not disputed.

Board Member Kelly Buckner inquired if the \$17,304 was just the foundation.

Janet Iribarne replied it was the foundation and the deck was in concrete. She

stated the mobile home was titled and unsecured. She stated it was not converted. She noted on page 15 there was an itemized breakdown of all the yard improvements on that property which were calculated at \$454,228 worth of yard improvements. She did not think the shop was overvalued. Janet Iribarne stated it was being coded as a service repair garage made out of fire proof structural steel. Janet Iribarne stated they ran it at 1.5% replacement costs, less depreciation, for \$125,782 which was on the first line of the itemized listing.

Board Member Robert Wines stated he did some rough numbers and he came up with \$71.00 per square foot estimation on the building.

Janet Iribarne stated there was a concrete driveway in front of shop and she came up with \$65.38 per square feet. She stated the shop does receive some depreciation. She considered dropping it down in quality but after seeing the building permit that would add in the offices there was a difference of \$21,000 if she dropped it half a class.

Board Member Robert Wines inquired where she got her replacement costs of \$65.38 per square foot.

Janet Iribarne replied Marshall & Swift.

Board Member Alfred Plank stated the same could be said for all these cases that they used Marshall & Swift. He stated it seemed that they were not recognizing the value of their improvements in the assessment. He stated they were operating under the assumption that the land value would include the improvements and they were trying to associate the improvement with the 1,924 square foot shop.

Janet Iribarne stated that was what it appeared to her.

Board Member Robert Wines inquired if there was any difference in land valuation between the piece of property improved that had the parking lot and buildings and the 4.5 acres surrounding it that was unimproved. He understood there was improvement on one portion but they were not using one-half of that parcel.

Katrinka Russell stated last year they negotiate with the same tax representative and they have already done a reduction to the land due to its size. She also made the recommendation to the owner that they should look into splitting that out and selling it or doing something with it. She stated those acres were being underutilized. She stated with the way the sales were in that area they were able to do a reduction based upon the fact that there were no other 9 acre parcels within that neighborhood. Katrinka Russell stated to reduce it because the land was not being utilized; she did not feel the taxpayers should be penalized because the owners were not using the property.

Chairman Winer noted on the aerial, page 14, inquired if anyone wondered why the unimproved properties were in the shape it was. He noted the long skinny sage brush. He stated there was probably \$200,000 to \$300,000 in deferred street curb, gutter and sidewalk associated with that sage brush. Chairman Winer stated

that sage brush, in his opinion, was worth a lot less. He understood the City of Elko had an improvement deferment associated with this. He stated sometime in the future someone will have to put in \$300,000 in curb, gutter and sidewalk. He stated that devalues that property because of the improvements that would kick in the future. Chairman Winer hoped that when the person bought the property they understood what they were getting into. He noted the seller Latham Motors would have understood that they did not have to put in those things at the time because they just put in their frontage and the City at that time would have said you don't have to improve the whole thing and gave them a deferment. Chairman Winer stated the City has been working to fill in the missing infrastructure gaps. He stated City was dealing with ones on Idaho Street and Silver Street. He understood they had submitted a building permit and may do some remodeling. He noted when there was missing infrastructure and deferments, the City uses the building permits to add on missing infrastructures. He stated in order for them to remodel that building they may have to put in curb, gutter and street.

Janet Iribarne noted they have put in some infrastructure and drew their attention to the new photo.

Chairman Winer noted they would not approve the parcel map without infrastructure improvements.

Board Member Robert Wines inquired what was the border on the west end, what the street was.

Chairman Winer stated that was the shopping center with Albertsons and the back of Cal-Ranch.

Janet Iribarne stated the other parcels around this subject property were improved. She noted Gallagher Ford was \$160,000 per acre and across the street they were at \$100,000 per acre. She took the 5 acres at \$100,000 and depreciated down and went with the \$68,000 per acre based upon the land value up street on Manzanita and gave typography reduction on the area. She noted they were set at a criteria of \$68,000 per acre. She applied 35% typography reduction on that area and it comes to \$193,596. Janet Iribarne stated that was close to \$75,000 per acre and the Petitioner came in at \$693,596. She noted it was less than a \$10,000 reduction. She stated Katrinka Russell negotiated with the Petitioner last year. She would entertain anything else the Board may have for that 4.8 acreage. She noted more obsolescence could be added.

Board Member Alfred Plank inquired if the \$75,000 per acre was lower than any other adjacent property owners they discussed earlier. He noted there was \$150,000 per acre discussed.

Chairman Winer believed the market would support raw land on Manzanita at a \$75,000 per acre was realistic.

Board Member Robert Wines noted that the Petitioner purchased the property at \$610,000. He inquired if they have vacant land/unprepared/raw and infrastructure

at \$308,000. He inquired if that was the values when they purchased it.

Janet Iribarne stated she took their percentages and worked backwards. She was concerned about the building because Petitioner says it was worth \$56,000 and the Assessor's Office was at \$125,000 breaking it out by land value. Janet Iribarne stated also in the sales price the mobile home price was \$78,363.00.

Katrinka Russell stated she was unaware that it was being rented. She had asked if they were leasing the property out because they could reduce the values down according to income. She questioned why the owner did not want to provide that information. She questioned if the tax representative was unable to get that information.

Board Member Robert Wines inquired Janet Iribarne had contacted any of the metal building contractors for a value on a 2,000 square foot metal building.

Janet Iribarne replied she had not.

Board Member Robert Wines felt the value applied was high on the metal building. He believed the metal buildings in the region have been going for about \$45.00 square foot and believed \$65 per square foot was high.

Katrinka Russell noted that was for commercial.

Board Member Kelly Buckner stated they were showing it was a concrete floor and improvements in it.

Chairman Winer inquired if it was insulated.

Janet Iribarne stated it was insulated.

Chairman Winer inquired if there was three phase power because that would make it \$65.00 square foot.

Janet Iribarne was unsure of the three phase power.

Board Member Robert Wines assumed the utility and improvements were included in another line item.

Janet Iribarne stated they were not but everything was included in the \$125,000 for the insulated, bathroom and it had a two pit traps to collect oil.

Chairman Winer clarified it probably had a grease trap interceptor and sand/waste separator because the previous car dealership had to deal with all that.

Janet Iribarne did not know if he was leasing that out. She stated there was a building permit adding over 500 square feet of office to this building under tenant improvement.

Chairman Winer stated that may be slightly over what they were adding.

Janet Iribarne clarified it was 575 additional square feet for an office. She stated there was a \$35,838 permit value. She stated the old garage was 1,680.

Chairman Winer requested clarification that the owner was Nouhgt but the tenant was Veris Gold. He inquired if there was a relationship or if it was the same company, a holding company.

Janet Iribarne believed it was unrelated. She stated the owner of record lived in Elko of Nouhgt Technologies but the tax representative was from Arizona.

Katrinka Russell stated Noughgt Technologies have an LLC recorded with the State. If you look at the LLC the parent company was from Vancouver, Canada. She stated it would be difficult to find ownership. They did find records that there was a local person name and phone number affiliated with Noughgt Technologies.

Chairman Winer questioned if there was an arms-length transaction.

Janet Iribarne stated the Grant, Bargain and Sale Deed which transferred the property into their name was recorded February 27, 2012 between Robert and Janet Latham to Noughgt Technologies LLC.

Board Member Kelly Bucker stated in the narrative of the Assessor they indicated the value showed an increase of 11% which was capped at 7.9% according to the Department of Taxation.

Katrinka Russell stated that was correct.

Chairman Winer noted residential was capped at 3% and commercial was a 7.9% tax cap.

Board Member Robert Wines stated on page 15 they show the Latham detail shop at \$125,782 and at the bottom it says detail shop CFW \$4,048. He was assuming that was the apron in front of the shop and not included in the shop detail value.

Janet Iribarne stated that was correct. She noted it appears there may be more than 1,036 square feet of concrete. She referred to the site plot plan on page 13 (parcel sketch). Janet Iribarne stated she did not know if she included it in the apron and would review that. She stated it must include the concrete in front of the shop and the concrete that runs to the mobile home. Janet Iribarne stated the concrete on page 15, item 5 of 468 square feet had no total cost because they considered that as an ADA handicap ramp.

Board Member Kelly Buckner clarified for value on the land itself you take the total of the square footage of the parcel and it averaged out at \$75,000 per acre. He inquired if across the street the value was from \$100,000 to \$150,000 per acre.

Janet Iribarne stated that was correct. She stated the \$150,000 per acre was for frontage on Idaho Street and the parcels further back was \$100,000 per acre.

Board Member Alfred Plank understood the Petitioner did not question the land value but questioned the value of the improvements.

Chairman Winer stated it appears that the Petitioner did not consider some of the improvements.

Janet Iribarne agreed.

Board Member Kelly Buckner inquired if the value of the improvements were based upon Marshall and Swift.

Janet Iribarne replied in the affirmative.

NOUHGT TECHNOLOGIES LLC

Case No: 14 – 010

Parcel No: 001 560 069

[2:11 PM](#)

Audio C: 47:01

DECISION:

MOTION: Board Member Kelly Buckner moved that the Board of Equalization accept the value as presented by the Assessor’s Office.

Board Member Kelly Buckner stated his rationale was that similar property across the street was priced at a higher value but if they average the value of this large parcel \$75,000 per acre that appears to me to be a reasonable amount. He stated if they take the value of the improvements based upon the required Marshall and Swift valuations the value submitted by the Assessor’s Office was appropriate.

Board Member Alfred Plank seconded the motion.

The motion carried the following vote:

Voting Aye:	Chairman	James Winer
	Member	Wes Bowlen
	Member	Al Plank
	Member	Kelly Buckner
	Member	Robert J. Wines
Voting Nay:	None	
Abstaining:	None	
Absent:	None	

[2:12 PM:](#)

Audio C: 48:08

COMMENTS BY THE GENERAL PUBLIC:

Kristin McQueary asked that they set the date for the meeting to be held next year.

Chairman Winer noted a couple of the Petitioners mentioned today that they received the Assessor’s packet today. He inquired when the Petitioner normally received their packets.

Katrinka Russell replied the earlier date for the meeting was an issue for their office. She stated January 15th was the last day to file the Petition and then they have to allow for mailing so they may not get it by the 18th of January. She stated by the time they make contact with the tax representative or have to do an income approach and they have to provide financials the time period was cut short. Katrinka Russell stated if the meeting was scheduled later in the month it would be better.

She stated they would like to get the packet to the Board Members a full week before the meeting. She stated they could also make the accommodation of e-mailing the entire packet unless someone requests it in hardcopy.

Chairman Winer inquired if the Petitioner could receive their packet by e-mail due to the time period. He inquired if the statute says they have to receive it another way.

Katrinka Russell stated the Petitioner's packets were just a courtesy and not a statutory requirement. She stated the Fehrmanns had copies of all the information except for the appraisal. She asked if the Board wished them to provide copies to the Petitioners.

Chairman Winer inquired what the historic common practice was.

Katrinka Russell stated common practice was giving it to them the morning of the hearing.

Board Member Robert Wines noted the City of Elko puts out their agenda and posts it on line so the public could get a copy of the agenda and link through to the packets. He believed the Petitioner's should have the same information that the Board had. He stated the first Petitioner kept referring to her page numbers and did not refer to the Assessor's packet. He felt they should make a motion that when the packets were delivered to the Board Members they should also be sent to the Petitioners.

Kristin McQueary stated they could take it as an administrative direction.

Chairman Winer agreed it was better to get the information out so the process was easier. He noted Board Member Wes Bowlen in the past had issues when someone comes in and hands them something at the hearing.

Katrinka Russell stated they could not prepare the packet at the same time as the agenda went out. She explained some of the information was confidential and not public. She stated there was no problem in mailing out the packet at the same time as the Board Members were mailed out.

Kristin McQueary stated the confidential information should be marked as such. She noted once they file the Petition then it becomes a public document. She stated the backup material was the people dealing with business values rather than land value and that may be treated as confidential.

Chairman Winer stated 90% of what they get could be downloaded from the County website. He noted in past a casino gave us their revenue by department which could be considered confidential.

Kristin McQueary stated if the information was available to the Board it should be made available to the public at the same time. She stated it should be available to the Petitioner and the public if not confidential information.

Chairman Winer inquired if they could post this on the website.

Kristin McQueary stated Michele Petty posts the County Commission information.

Katrinka Russell stated she could check into that posting but they were at the mercy of the County Manager's Office.

The Board discussed available meeting dates for the next year's hearing.

Chairman Winer suggested the 19th of February, 2015 at 9:00 a.m. for the next year's hearing.

Chairman Winer asked if a lot of people call in and ask to appear by phone.

Katrinka Russell stated they had just the one request. She explained the tax representatives may be attending other hearings in other counties within the State on the same date.

Chairman Winer noted this was Kelly Buckner's last meeting and thanked him for his service.

Katrinka Russell commended there would be accommodations at the County Commission meeting for Kelly Buckner. She thanked Mr. Buckner for his helpful advice and bringing a different prospective of fair to the taxpayer.

Board Member Wes Bowlen stated Bill Guisti was the Assessor when he first sat upon the Board. He believed it was approximately in 1988.

[2:27 PM](#)

Audio C: 1:04:07

ADJOURNMENT:

There being no further business to come before the Board, Chairman Winer adjourned the meeting at 2:27 p.m.

APPROVED,

JAMES WINER, Chairman

ATTEST:

MARILYN TIPTON, Deputy County Clerk