

HERNANDO COUNTY
VALUE ADJUSTMENT BOARD

APRIL 14, 2010

A Regular Meeting of the Hernando County Value Adjustment Board was held on Wednesday, April 14, 2010, at 3:05 p.m., in the Board of County Commissioners Meeting Room, Government Center, Brooksville, Florida. Members present were: John C. Druzbeck, Chairperson; John Sweeney, Vice Chairperson; James E. Adkins, Commissioner; and Dora Bell, Citizen Member. Others present were: Alvin Mazourek, Property Appraiser; Yvonne Yegge, Attorney; and Sherry Crum, Secretary.

Clerk Administrative Services Manager Judy Korbus was not present at the meeting.

The meeting was called to order at 3:05 p.m. by Chairperson Druzbeck.

Value Adjustment Board - Minutes - Approval of February 24, 2010

The Minutes of the February 24, 2010, meeting, were presented for review and approval.

Motion

Comm. Adkins moved to approve; seconded by Mr. Sweeney and carried 4-0.

Value Adjustment Board - Special Magistrate Recommendations - Approved

The Special Magistrate recommendations concerning petitions filed with the 2009 Value Adjustment Board (VAB) and heard on January 13, 2010, by Special Magistrate Camille Smith, were provided to the VAB for review and approval.

Chairman Druzbeck requested a Motion for approval of the Special Magistrate recommendations.

Motion

Comm. Adkins so moved; seconded by Mr. Sweeney and carried 4-0.

Value Adjustment Board - Special Magistrate Invoice - Payment Authorized for Services Rendered by Camille Smith (All Real Estate Appraisals)

Received a memorandum from Clerk Administrative Services Manager Judy Korbus advising that an invoice for Special Magistrate services submitted by Camille Smith of All Real Estate Appraisals in the amount of \$1,543.75, had been reviewed and approved as to accuracy by the Clerk and Attorney Yvonne Yegge. Pursuant to Florida Statute 194.015, three-fifths (\$926.25) would be paid by the Board of County Commissioners and two-fifths (\$617.50) by the School Board.

Chairman Druzbeck requested a Motion for approval.

Motion

Mrs. Bell so moved; seconded by Comm. Adkins and carried 4-0.

Value Adjustment Board - Miscellaneous Correspondence – Discussed

The Value Adjustment Board was provided with a copy of correspondence received from Mr. Dan Pitts relative to the Brooksville Hotel & Office Park, LLC (Petition No. 09-130), in response to the recommendation submitted by the Special Magistrate.

Chairman Druzbeck acknowledged receipt of correspondence submitted just prior to the meeting by Mr. Kyle Chrisman of Ryan, Inc., representing HCRA Properties I, LLC (Petition No. 09-039), in response to the Special Magistrate's recommendation.

Attorney Yvonne Yegge advised the petitioner that there was not a process for rehearing or for reconsideration of petitions by the VAB. She stated that the time for presenting evidence was before the Special Magistrate and that the purpose of this meeting was to approve the recommended decisions.

3:13

Mr. Pitts believed there had been a disconnect at the hearing before the Special Magistrate because the issue was not over mathematics in terms of calculating property values but rather how the tax base was viewed. He stated that there was a considerable difference between the tax base for commercial square footage, which was high, and commercial acreage. He stated that historically the subject property had been classified as commercial acreage. He related that he had been unable to ascertain the basis for the criteria from the Property Appraiser's Office. He stated that his 5.51-acre parcel was assessed at \$17,000 while a similar, adjacent 14.4-acre parcel was assessed at approximately \$8,000 in taxes and he questioned the discrepancy. He related that during his hearing the Property Appraiser's staff had indicated that larger tracts of land were classified as acreage and that smaller tracts were classified as square footage, however, he had submitted documentation depicting like properties classified as acreage. He stated that his dilemma was getting the Special Magistrate and the Property Appraiser on a level playing field. He desired for the property to be classified as commercial acreage.

Mr. Bob Nelson, a participative property owner, stated that he had done extensive research in an effort to reach a consensus with the Property Appraiser as to why a particular parcel was assessed as square footage versus acreage, which he still did not understand. He questioned the discrepancy in assessments between the subject property and the adjacent parcel, both of which were assessed as acreage and located within the City of Brooksville on main thoroughfares. He questioned why the property values and tax structure varied for like properties throughout the county. He asked for clarification so that as a taxpayer he could be satisfied that he had done his best to understand how the tax structure was applied in Hernando County.

Upon a query by Mrs. Yegge, Property Appraiser Alvin Mazourek declined to respond to the comments expressed.

Mrs. Yegge stated that the VAB had opted to appoint specialists, appraisers and attorneys, to hear the evidence in accordance with the law and rules governing the VAB process, which opportunity had been afforded to the petitioner. Therefore, she recommended that the VAB approve the recommendation as drafted and presented despite Mr. Pitts' and Mr. Nelson's comments.

Comm. Adkins questioned if Mr. Mazourek wished to comment on the subject of acreage versus square footage.

Mr. Mazourek stated that he had accepted the Special Magistrate's recommendation.

Mr. Pitts questioned if the VAB had the authority to remand the petition back to the Property Appraiser prior to making a final decision, similar to Hillsborough County's process.

Mrs. Yegge responded that in her opinion that was an option for the Special Magistrate. She understood that prior to her appointment, the VAB had opted not to substitute its judgment for that of the Special Magistrates because they had the expertise and conducted the hearings.

Mr. Mazourek pointed out that prior to this meeting, the property owners had contacted his office to schedule a meeting to discuss this issue on April 19, 2010.

Mr. Nelson affirmed that earlier today he had arranged a meeting with Deputy Property Appraiser John Emerson to discuss how to move forward in trying to understand the criteria associated with the property value decisions.

Mrs. Yegge noted that the petitioners also retained the remedy of filing an action in Circuit Court.

Chairman Druzbeck stated that Hernando County had used the same process as Hillsborough County in the past, and he was not certain when that had changed; however, the VAB would not opt to rehear or remand the petition.

Upon the request of Chairman Druzbeck, Mrs. Yegge reiterated that an action could be filed in Circuit Court as to the assessment; however, she recommended that the petitioner consult an attorney because it involved meeting specific timeframes.

Upon comment by Chairman Druzbeck concerning correspondence submitted by Mr. Chrisman on behalf of HCRA Properties I, LLC, Mrs. Yegge stated that her recommendation was the same with respect to the petition and accompanying decision.

Chairman Druzbeck understood that this was informational as the VAB had already taken action on the Special Magistrate recommendations.

Value Adjustment Board – Certifications – Approved

Clerk Administrative Services Manager Judy Korbus had submitted a memorandum advising that the Value Adjustment Board (VAB) was required to certify that all hearings required by Florida Statute, Section 194.032, had been held and that the VAB was satisfied that the Real Property and Tangible Personal Property assessments for the county included all property and information required by the statutes of the State and the requirements and regulations of the Department of Revenue. The VAB further ordered that the certifications be attached as part of the assessment roll. The roll would be

delivered to the Property Appraiser of the county on the date of the certifications. The Property Appraiser would adjust the roll accordingly and make all extensions to show the tax attributable to all taxable property under the law. The taxable value of real property assessment roll, was as follows: as submitted by the Property Appraiser to the VAB - \$8,250,142,763; net change in taxable value due to actions of the VAB - \$82,691; and taxable value of real property assessment roll incorporating all changes due to action of the VAB - \$8,250,060,072. The taxable value of Tangible Personal Property assessment roll, was as follows: as submitted by the Property Appraiser to the VAB - \$1,068,647,017; net change in taxable value due to actions of the VAB - \$21,139,697; and taxable value of Tangible Personal Property assessment roll incorporating all changes due to action of the VAB - \$1,047,507,320.

The staff recommended that the VAB approve the Certifications and authorize the Chairman's signature thereon.

Motion

Comm. Adkins so moved; seconded by Mr. Sweeney and carried 4-0.

Mrs. Yegge advised that pursuant to new rules implemented by the Department of Revenue, the Certifications now included an attachment requiring verification that the VAB processes had been administered legally and appropriately and had been completed as required.

Adjournment

There being no further business to come before the VAB at this time, the meeting was adjourned at 3:30 p.m.