

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 9, 2005

PRESENT:

Steven Sparks, Chairman
Gary Schmidt, Vice Chairman
William Brush, Member
Thomas Koziol, Member
John Krolick, Member

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Ernie McNeill, Senior Appraiser

The Board met pursuant to a recess taken on February 8, 2005, in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Sparks, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. 0026, Reno Newspapers Inc., Parcel No. 012-051-25
Hearing No. 0057, Corporate Property Assoc 4, Parcel No. 012-271-09
Hearing No. 0061, US Inst Real Estate Equities LLP, Parcel No. 034-131-15
Hearing No. 0062, US Inst Real Estate Equities LLP, Parcel No. 034-131-18
Hearing No. 0063, US Inst Real Estate Equities LLP, Parcel No. 034-133-03
Hearing No. 0064, US Inst Real Estate Equities LLP, Parcel No. 034-323-08
Hearing No. 0035, Albert W. and Jane E. Duffield, Tr, Parcel No. 148-091-01

CONSOLIDATION OF HEARINGS

On motion by Member Koziol, seconded by Member Krolick, which motion duly carried, Chairman Sparks ordered that hearings for petitioners in attendance be conducted in the order they appear on the agenda, hearings in which written evidence has been submitted will be heard next, and then petitions that have similar facts and issues where no petitioner is present will be consolidated under one hearing.

05-35E ROLL CHANGE REQUESTS - INCREASES

9:00 a.m. This was the time set for the Board to act on increases of assessed valuation, pursuant to notification being given to the affected property owners by

certified mail on January 26, 2005 and providing an opportunity for anyone to appear concerning the increases.

Chairman Sparks opened the hearing by calling on anyone wishing to speak concerning the increases. There was no response, and the hearing was closed.

Following discussion, on motion by Member Schmidt, seconded by Member Krolick, which motion duly carried, Chairman Sparks ordered that Roll Change Requests Nos. 1 through 9, resulting in increases as placed on file with the Clerk, be approved.

05-36E HEARINGS NO'S. 0003/0004 – JEANNE M. ARTERBURN LIVING TRUST - PARCEL NO'S. 040-162-21 & 040-162-22

Petitions for Review of Assessed Valuation received from Jeanne M. Arterburn Living Trust, protesting the taxable valuation on land located at 6925 and 6955 S. Virginia Street, Reno, Washoe County, Nevada, were set for consideration at this time. The 6925 property is zoned AC, 6955 is zoned CC, and both are designated resort commercial.

Stacy Ettinger, Appraiser, duly sworn, oriented the Board as to the location of subject properties commonly known as Magic Carpet Golf.

Lloyd Arterburn, Petitioner, was sworn and submitted the following documents into evidence:

- Exhibit A, Photos of storage units in relation to the subject property
- Exhibit B, Protest Letter and Assessment Notice 2005/6
- Exhibit C, Parcel Maps
- Exhibit D, 2005 Appraisal Records

Petitioner Arterburn spoke about the comparison of his front property to shopping centers, the back parcel being landlocked with no access and is not salable, and Nevada Department of Transportation construction that has blocked one driveway limiting access to the property. He also stated the neighboring storage sheds with the 15-foot high walls devalue his property. Petitioner Arterburn said the property was reappraised in 2004 and was raised nine percent in 2005, which was too high for one year. In response to Chairman Sparks, he said they would like the Board to deny the 2005 increase, keeping the value at the 2004 level.

In response to Member Krolick, Petitioner Arterburn said the storage sheds along the back of the property block access to Rocky Lane; further, he was never notified about the zoning change to industrial required to allow the sheds. Member Schmidt agreed the Petitioner should have been noticed.

Petitioner Arterburn responded to several questions by Member Schmidt about the construction and location of the storage sheds. He said the golf course uses two thirds of the property, but the back parcel is vacant. He also stated there was never access to the back parcel from Rocky Lane because it was a private road, but the back parcel can be accessed from the front parcel.

Appraiser Ettinger submitted the following documents into evidence:

Exhibit I, Hearing 0003, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 9

Exhibit II, Hearing 0004, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 8

Appraiser Ettinger reviewed sales of three comparable properties and one listing substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that the Petitioner had not provided evidence that the mini-storage units are detrimental to the subject property. He said the two parcels operate as an economic unit, but 23,087 square feet of the rear parcel was reduced to \$2.00 a square foot as excess land and the remainder of the rear parcel was discounted to \$7.00 a square foot for 2004. Appraiser Ettinger said a nine percent factor for 2005 was applied.

In response to Member Schmidt, Appraiser Ettinger discussed the zoning designations and which designations require special use permits.

In response to Member Krolick, Appraiser Ettinger said a larger parcel typically sells for a smaller dollar amount per square foot, but they were included to show the disparity between the subject property and the comparable sales. He said the income approach was not considered because this was only an appeal of the land value.

Member Koziol said the letter from the appellant indicated they were told by the Assessor that the 2004/5 reappraisal was good for five years and that the nine percent increase was unjustified because the property had already been assessed. Chairman Sparks explained reassessments and factors. Ernie McNeill, Senior Appraiser, said this was also how it should have been explained to the Petitioner.

In response to Chairman Sparks, Appraiser Ettinger said the parcels were a typical shape, which would not require a depth study. Chairman Sparks spoke on the depth of the comparable sales versus the subject property. He said, if the two subject parcels were combined knowing the back is worth less, it should total \$8.30 a square foot. He said he was concerned the back had not been reduced enough to compensate for the lack of frontage on Virginia Street that all of the comparable sales had.

Appraiser Ettinger said there were no better comparable sales on Virginia, but he felt the listing was more comparable to the subject with the most similar amount of depth. He said offers of \$14 to \$16 a square foot for the listing were rejected.

Member Schmidt stated 30 percent of the lot lines are blocked, and asked if the Assessor considered this. Appraiser Ettinger said, at the last reappraisal, the storage units were only built up to the rear of the property, which is not being used for the miniature golf facility. He said it was likely the impact of the storage units built on Rocky Lane would be investigated at the next reappraisal. In response to Member Schmidt stating there should be a 30 percent detriment discount, Appraiser Ettinger said the property was not up to full market value based on comparable sales; but, when it does reach full market value, a detriment reduction could be considered.

In response to Member Schmidt's comments on combining the parcels, Appraiser Ettinger said typically this would be considered as one economic unit because of how the improvements are situated, but the County Board decided in 2001 to have the Assessor's Office value it in this manner. He said the decision was honored in 2004, but the back parcel was discounted to what the Assessor thought was appropriate; and, as far as he knew, it never went to the State Board. Appraiser McNeill said the statute requires the unit of appraisal must be a single parcel unless the location of the improvements causes two or more parcels to function as a single parcel. He said Appraiser Ettinger gave the appellant a break on the way the property was valued because it should have been valued as a unit at \$10 a square foot.

Member Schmidt said a previous Board had made the decision to value the parcels individually, but this Board could alter that decision.

Petitioner Arterburn said Chairman Sparks had described the disparity in the frontage between his parcel and the comparable sales better than he could. He said the listing is asking \$20 a square foot, but he knows of no property in that area that has sold for \$20. He said one property to the north sold for \$4.50 a square foot and the storage sheds sold for around \$2.50 a square foot.

The Chairman closed the hearing.

Member Schmidt said the parcels should be considered as one site, but not at \$10 a square foot. He said the detriment of the storage units should be considered and the fact that they generate no foot traffic. He said the diminished access due to road construction and the comparable sales not being the same size or depth should also be considered. He said \$2.00 a square foot was appropriate for the back parcel that was undeveloped, \$5.00 a square foot for the developed portion, and \$10.00 a square foot for the front. He further stated the easement should possibly be at \$2.00 a square foot. Member Koziol said he could entertain Member Schmidt's recommendation.

Chairman Sparks said he has no problem with the current taxable value for the front parcel (APN 040-162-21) with 65,775.6 square feet at \$10.00 a square foot, which is \$657,765. He said \$657,765 is identical to the 2004 reappraisal before the nine percent adjustment, which is justified by the sales. He said the back parcel should have some diminution in value from the 2004 value of \$5.30 to \$4.50-\$5.25. He said, if there

is a 45-50 percent diminution from the front parcel to the back parcel, the overall value would be \$8.20-\$8.30 for a 15-20 percent reduction.

For Hearing 0003, based on the FINDINGS that adverse factors were not considered by the Assessor as evidenced by the Petitioner's Exhibits A through D, on motion by Chairman Sparks, seconded by Member Koziol, which motion duly carried with Chairman Sparks voting "no," it was ordered that the taxable value of the land on Parcel No. 040-162-21 be reduced to \$657,756 and that the taxable value of the improvements be upheld, for a total taxable value of \$1,062,381. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

For Hearing 0004, based on the FINDINGS that adverse factors were not considered by the Assessor as evidenced by the Petitioner's Exhibits A through D, on motion by Member Schmidt, seconded by Member Krolick, which motion duly carried with Chairman Sparks voting "no," it was ordered that the taxable value of the land on Parcel No. 040-162-22 be reduced to \$333,234 and that the taxable value of the improvements be upheld, for a total taxable value of \$448,255. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10:17 a.m. The Board recessed.

10:22 a.m. The Board reconvened with all members present.

05-37E **HEARING NO. 0012 – JOHN F. AND BARBARA M. KOWALSKI**
TR – PARCEL NO. 011-081-24

A petition for Review of Assessed Valuation received from John F. and Barbara M. Kowalski, protesting the taxable valuation on land and improvements located at 85 Keystone Avenue, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PO and designated 041-office professional.

Van Yates, Appraiser, duly sworn, oriented the Board as to the location of subject property.

John Kowalski, Petitioner, was sworn and submitted the following documents into evidence:

Exhibit A, Financial Data for 85 Keystone Avenue

Petitioner Kowalski testified that he was in agreement with the Assessor's proposed reduction.

Appraiser Yates submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 24

Exhibit II, Owner Reported Income and Expense Chart

Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's taxable land value does not exceed full cash value. He further testified that the detriment to the subject property is the lack of an elevator to the second floor and that it has some functional obsolescence because of an inferior layout. He said, based on the sales comparisons, the value should be \$55 a square foot for \$550,000 for the subject property. Appraiser Yates discussed the 2001-2004 Owner Reported Income and Expense handout and the vacancy and rental rates concluding a 20 percent vacancy rate is appropriate for the subject property.

In response to Member Schmidt, Appraiser Yates stated the evidence supported the reduction. In response to Member Koziol, Appraiser Yates said on page 2 of the Assessor's packet the \$323,700 in the first line under recommendations should be \$326,700.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject property as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 011-081-24 be reduced to \$326,700, and that the taxable value of the land be upheld, for a total taxable value of \$550,000. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

05-38E HEARING NO. 0037 – DALE AND SUSAN CONNOR
PARCEL NO. 013-321-29

A petition for Review of Assessed Valuation received from Dale and Susan Connor, protesting the taxable valuation on land and improvements located at 1005 Terminal Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned 1B and designated general commercial.

Van Yates, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Dale Connor, Petitioner, was sworn and submitted the following documents into evidence:

Exhibit A, Letter with enclosures to Assessor McNeill dated August 25, 2004

Exhibit B, Letter with enclosures to Assessor McNeill dated January 14, 2005

Exhibit C, Letter with enclosures to Assessor' Office dated January 28, 2005

Petitioner Connor testified regarding the subject property's lack of ceiling insulation and that 23-27 percent of the building's annual income goes towards utilities. He addressed the costs involved to improve the property and the maintenance costs deferred by the previous owners. He said he agreed with the Assessor's proposed reduction.

Appraiser Yates submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 27

Exhibit II, New land sales, replacement pages for 1, 6 through 12

Appraiser Yates reviewed sales of comparable properties and stated the property was valued using the income approach.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject property, as evidenced by the Assessor's Exhibits I and II and the Petitioner's Exhibits A through C, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 013-321-29 be reduced to \$1,215,800, and that the taxable value of the land be upheld, for a total taxable value of \$1,898,000. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

05-39E HEARING NO. 0049 – MACK AND LAUB LLC
PARCEL NO. 012-139-12

A petition for Review of Assessed Valuation received from Mack and Laub LLC, protesting the taxable valuation on land and improvements located at 201 S. Wells Avenue, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned CC and designated 041/office professional.

Chris Mumm, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Joan Mack and Melvin Laub, Petitioners, were sworn and submitted the following documents into evidence:

Exhibit A, Profit and Loss, January through December 2003

Exhibit B, Profit and Loss, January through December 2004

Petitioner Mack testified that there had been no increase in value since the property's purchase nine years ago; the demographics were down, possibly due to construction on Wells Avenue; the tenant is not paying rent, only utilities; the building is for sale, but there has been no interest; and she has even had trouble finding a realtor because of the lack of interest in Wells Avenue. She also stated none of the comparable sales were on Wells Avenue. Petitioner Mack asked that the land value be rolled back to the previous evaluation.

In response to Member Koziol, Petitioner Mack said the tenant runs a gift and thrift store, and she pays the insurance and taxes on the property.

Chairman Sparks asked if the Petitioner was requesting the property be put back to the previous total taxable value of \$450,282, and Petitioner Mack agreed this was their request.

Petitioner Laub said the building was designed as a bank and its configuration is not useful except as a bank, which was precluded as a condition of the sale. He said the building does not have the look or feel of a retail store even through it has been designated retail, and it has cost \$100,000 to maintain. He agreed with Petitioner Mack that the comparables were not relevant to the subject property and with her request for relief.

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 13

Appraiser Mumm testified that the Assessor's Office is recommending reducing the total value from \$565,900 to \$495,400, which is slightly more than the appellants paid for it ten years ago. He said the recommendation was based on the building. He said there is some obsolescence built into the building with the vault and the drive through, and only pawnshops appear to have an interest in old bank buildings. Appraiser Mumm reviewed comparable sales stating the most comparable sale was on South Wells Avenue. He said the recommendation is \$100 a square foot overall, reducing the improvement value to \$144,500. He also reviewed comparable land sales that ranged from \$11.97 to \$14.31 per square foot and said \$12.10 is close, especially to the Mill Street and Wells sale; and that the detriment must come off of the building.

In response to Chairman Sparks, Appraiser Mumm said the actual income on the property was not demonstrative, he did not do a performa, and he felt the comparable sales were more indicative. In response to Chairman Sparks' comments on the comparable sales and traffic on Mill, Appraiser Mumm said the closest comparable was on Wells and that Ryland has more traffic than Mill with Wells Avenue being the major traffic street.

In response to Member Schmidt, Appraiser Mumm said he would adjust the subject property down \$1.00 from the comparable on Wells Avenue because of the comparable's corner location and down another \$1.00 because the subject property is much smaller; bringing the subject property down to \$12.10.

In response to Member Koziol, Ernie McNeill, Senior Appraiser said a sale with the City of Reno probably did not involve any real property transfer taxes being paid, which is required for it to show up on the sales roles.

Petitioner Mack said she had tried to sell or lease the property to a pawnshop but no one was interested in Wells Avenue.

The Chairman closed the hearing.

Chairman Sparks said, if a casino could request help on an annual basis, a business owner should be accorded the same benefits as a large commercial property. He said he was disappointed there was no income approach for this property. He said he had problems with the land sales, and to go from \$14 down to \$12 for the site on a secondary is less than desirable.

Based on the FINDINGS that the property's location on Wells Avenue was not considered by the Assessor when calculating the land value and that obsolescence should be applied to the improvements on the subject property as recommended by the Assessor, and as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibits A and B, on motion by Chairman Sparks, seconded by Member Brush, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 012-139-12 be reduced to \$290,110, and that the taxable value of the improvements be reduced to \$144,500, for a total taxable value of \$434,610. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

11:15 a.m. The Board asked if any other petitioners were present; and, hearing none, the Board recessed.

11:25 a.m. The Board reconvened with all members present.

05-40E **HEARING NO. 0007A – JAMES Y. AND NANCYLEE M. ROBERTSON TR - PARCEL NO. 160-480-50**

A petition for Review of Assessed Valuation received from James Y. and Nancy Lee M. Robertson TR, protesting the taxable valuation for the 2004/05 supplemental role on improvements located at 8790 Double Diamond Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated 041/office professional.

Stacy Ettinger, Appraiser, duly sworn, oriented the Board as to the location of subject property.

James Y. and Nancy M. Robertson TR, Petitioners, were not present but had submitted the following documents into evidence:

Exhibit A, Letter dated December 27, 2004 and supporting documentation that accompanied petition

Appraiser Ettinger submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 9

Appraiser Ettinger testified that the improvements were being appealed for the 2004/5 supplemental role because of a mistake made in the occupancy code on the bottom level of the building, which should have been classified as parking level. He said this correction had already been made for the 2005/6 role. Appraiser Ettinger said the Petitioner was in agreement with the change.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 160-480-50 for the 2004/05 supplemental role be reduced to \$1,823,791. The Board also made the finding that, with this adjustment, the improvements are valued correctly and the total taxable value does not exceed full cash value.

05-41E HEARING NO. 0007B – JAMES Y. AND NANCYLEE M. ROBERTSON TR - PARCEL NO. 160-480-50

A petition for Review of Assessed Valuation received from James Y. and Nancy M. Robertson TR, protesting the taxable valuation for 2004/05 reopened role on land located at 8790 Double Diamond Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated 041/office professional.

Chris Mumm, Senior Appraiser, duly sworn, oriented the Board as to the location of subject property.

James Y. and Nancy M. Robertson TR, Petitioners, were not present but had submitted the following documents into evidence:

Exhibit A, Letter dated December 27, 2004 and supporting documentation that accompanied petition

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 9

Appraiser Mumm addressed comparable land sales and testified that this appeal involves only the land status prior to building. He said the role was reopened when the appellant combined lots and it was revalued at \$6.60 a square foot, which was based on erroneously reading the sale information received. He said the value should have been \$5.00 a square foot; and that is his recommendation, with which the Petitioner is in agreement.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Schmidt, seconded by Member Koziol, which motion duly carried, it was ordered that the taxable value for the 2004/05 reopened role for the land on Parcel No. 160-480-50 be reduced to \$949,608. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

05-42E HEARING NO. 0007C – JAMES Y. AND NANCYLEE M. ROBERTSON TR - PARCEL NO. 160-480-50

A petition for Review of Assessed Valuation received from James Y. and Nancy Lee M. Robertson TR, protesting the taxable valuation for 2005/6 role on land and improvements located at 8790 Double Diamond Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated 041/office professional.

Chris Mumm, Senior Appraiser, duly sworn, oriented the Board as to the location of subject property.

James Y. and Nancy Lee M. Robertson TR, Petitioners, were not present but had submitted the following documents into evidence:

Exhibit A, Letter dated December 27, 2004 and supporting documentation that accompanied petition

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 9

Appraiser Mumm testified that the 2005/6 secured role combines the land and the improvements. He said the improvements were already reduced to \$1,700,348 on the secured role and this reduces the land to \$949,608 for a total of \$2,649,956. He said the Petitioner was in agreement with the change.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 160-480-50 be reduced to \$949,608 and that the taxable value of the improvements be upheld, for a total taxable value of \$2,649,956. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

05-43E HEARING NO. 0008 – KENNETH L. AND CHERYL L. ZEAL
PARCEL NO. 012-073-29

A petition for Review of Assessed Valuation received from Kenneth L. and Cheryl L. Zeal, protesting the taxable valuation on land and improvements located at 835 E. Second Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned MUWM and designated 040-general commercial.

Ernie Wood, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Kenneth Zeal, Petitioner, was not present but had submitted the following documents into evidence:

Exhibit A, Loan Papers U.S. Department of Housing and Urban Development

Appraiser Wood submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 16

Appraiser Wood testified the current owner purchased the property on October 7, 2004 for \$525,000 and the sale of the subject property is the best evidence of its market value. He said it is recommended that obsolescence be applied in the amount of \$48,719 for an adjusted improvement value of \$217,600 and a total value of \$525,000. Appraiser Wood said the Petitioner is in agreement with the Assessor's recommendation.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to subject property as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 012-073-29 be reduced to \$217,600, and that the taxable value of the land be upheld, for a total taxable value of \$525,000. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

05-44E HEARING NO. 0046 – SDA-JSI LLC
PARCEL NO. 011-111-01

A petition for Review of Assessed Valuation received from SDA-JSI LLC, protesting the taxable valuation on land and improvements located at 248 W. 1st Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned TRD and designated general commercial.

Mark Stafford, Appraiser, duly sworn, oriented the Board as to the location of subject property, which was used as a commercial and multi-family building.

SDA-JSI, LLC, Petitioner, was not present but had submitted the following documents into evidence:

Exhibit A, Review of Taxable Values for 2005/6 Letter dated December 27, 2004 with enclosed documentation

Appraiser Stafford submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 32

Appraiser Stafford testified that, during the preparation of the 2005 valuation, he discovered an error in the calculation of the land value; and he was recommending a correction from \$266,700 to \$256,000. He said he had spoken with the Petitioner on his recommendation and the comparable sale of the building directly across from the subject property, and the Petitioner had indicated he would withdraw; but the withdrawal was never received.

In response to Member Schmidt, Appraiser Stafford said the cap rate used in the Income Approach analysis was 9 percent. He said the property was purchased in October 1998 for \$900,000.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the calculation of the land value as evidenced by the Assessor's Exhibit I, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 011-111-01 be reduced to \$256,000, and that the taxable value of the improvements be upheld, for a total taxable value of \$755,128. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

11:45 a.m. The Board recessed.

**05-45E HEARING NOS. 0039A, 0039B, 0039C, 0039D -
GEORGE AVANZINO FAMILY LTD. PARTNERSHIP
PARCEL NOS. 012-280-66, 012-280-71, 012-280-73, 012-280-75**

Petitions for Review of Assessed Valuation received from George Avanzino Family Limited Partnership, protesting the taxable valuation on land located at Rock Boulevard and Mill Street, Reno, Washoe County, Nevada, were set for consideration at this time. The properties are zoned vacant commercial, vacant industrial, vacant industrial and other unbuildable respectively, and designated agricultural.

Ron Shane, Appraiser, duly sworn, oriented the Board as to the location of subject property.

George Avanzino, Petitioner, and Allan Jensen, Attorney for the Petitioner, were sworn and submitted the following documents into evidence:

Exhibit A, Statement for Review of Conversion of Agricultural Property to a Higher Use

Exhibit B, Affidavit of George Avanzino

Exhibit C, Agreement for Purchase and Sale of Real Estate and Escrow Instructions and parcel maps

Exhibit D, IRS Tax Statements

Exhibit E, Deputy District Attorney and Attorney General Opinions concerning Conversion of agricultural property to a higher use

It was agreed upon by Appraiser Shane, Petitioner Avanzino, Mr. Jensen and the Board that the four parcels be considered under one hearing.

Mr. Jensen stated the Petitioner would withdraw Hearing No. 0039A, Parcel No. 012-280-66 due to the fact that there was no dispute that the parcel would be converted upon sale of the property. Mr. Jensen noted the sale was pending, and it was anticipated the sale would close within days. He stated Panattoni Development would convert the parcel to a higher use.

Concerning Hearing No. 0039B, Parcel No. 012-280-71, Appraiser Shane stated the Assessor would withdraw this parcel and the agricultural exemption would stay in effect. The Petitioner was in agreement with the decision.

Mr. Jensen testified the issue of the appeal was whether or not the parcels were converted to a higher use solely by virtue of the recordation of parcel maps 3727 and 4215 that were recorded several years ago. He said the Assessor took the position that the recording of the two maps evidenced an intention of the Petitioner to sell the property on the north side of Ampere and all of the property that is south, and he stated that was not true. Mr. Jensen stated the property continues to qualify under NRS and should remain in agricultural use. He referred to the photographs in Assessor's Exhibit I and affirmed that all of the dirt work being done is on the property being sold to Panattoni Development.

Mr. Jensen explained the Petitioner was selling a portion of Parcel No. 012-280-73 on the north side of Joule Street. He said the Petitioner would retain 3.29 acres of the parcel, and the southern portion of 5.09 acres was subject to sale to Panattoni Development. It would be appropriate for the deferred agricultural tax to be recaptured under that parcel. Mr. Jensen stated the Assessor is claiming the entire parcel has been converted to a higher use, and the Petitioner does not agree, as the 3.29 acres would continue to be used for farming.

Mr. Jensen stated Parcel No. 012-280-75 was being disputed. He explained Ampere Drive is a paper street, and no work has been done on it. He said the street was created to satisfy a condition for the City of Reno, and there was no requirement that the street be constructed at any time. He testified that the whole parcel has been farmed continuously since 1925.

Mr. Jensen stated the Petitioner was seeking a refund of over \$146,000 in deferred agricultural taxes. He confirmed the petition seeks the refund of those portions that are being retained by the Petitioner that qualify as an agricultural use.

Member Schmidt asked about the District Attorney and Attorney General Opinions, which were placed on file with the Clerk. Mr. Jensen clarified that the Attorney General Opinion deals with physical alteration, as to whether or not that converts property to a higher use.

Appraiser Shane submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 25 for Parcel No. 012-280-73

Exhibit II, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 25 for Parcel No. 012-280-75

Exhibit III, Deputy District Attorney and Attorney General Opinions concerning Conversion of agricultural property to a higher use

Appraiser Shane reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that the position of the Assessor's Office was that the project was out of sequence for the Appellant to do what he wanted to do with the land. Appraiser Shane said one disagreement on Parcel No. 012-280-73 is that only the bottom half has been converted verses the reality that it was one parcel in which work was being done resulting in the conversion of the entire parcel. He reviewed the history of the parcels and related parcel maps.

Appraiser Shane discussed Parcel No. 012-280-75. He acknowledged that if the road were forced on to the property owner by the City of Reno, the Assessor would not convert the parcel. He said the paperwork submitted indicated an agreement among property owners that the purpose of the road was to keep open the option of future development on the property. He stated there was no agricultural reason to create a parcel that small and it serves no agricultural purpose.

Chris Mumm, Appraiser, duly sworn, commented that a portion of Parcel No. 012-280-73 has been physically altered. He noted the Petitioner should have filed a parcel map first; however, once he began turning the soil, he converted the entire parcel. He referred to Assessor's Exhibit III, which stated, "converted to a higher use," means if part of a parcel is converted, the entire parcel is converted. Appraiser Mumm confirmed that the Attorney General Opinion, referenced by Mr. Jensen, was invalid because it dated back to 1985, prior to the statute being amended.

Chairman Sparks inquired if there had been a parcel map filing for Parcel No. 012-280-75, and Appraiser Shane confirmed that to be true.

In rebuttal, Mr. Jensen stated he did not agree with the Assessor's interpretation of NRS 361A.031, Sub-section 2. He said the entire disturbance on Parcel No. 012-280-73 has been to the south, and the developer has no access to the northern part of the parcel. He confirmed the northern section continues to operate as a working farm.

Chairman Sparks pointed out the statute uses parcel and property interchangeably, and he explained how that impacts this case. Mr. Jensen acknowledged the law does not provide much assistance to the Board in this situation. He gave his definition of parcel and property.

In response to Chairman Sparks, Mr. Jensen clarified the owner has pursued splitting Parcel No. 012-280-73 to reflect the sale of the southern portion of the property. He explained there would be a parcel map recorded within the next week that parcels off the southern portion that has been converted, from the northern section that has not been converted.

Chairman Sparks asked if it was Mr. Jensen's understanding that the lien date under appeal was July 1, 2004 for the taxes of 2005/06. Mr. Jensen confirmed that

to be true. Chairman Sparks clarified that as of July 1, 2004 there was no splitting of Parcel No. 012-280-73 at that time. Mr. Jensen concurred and stated the first time the soil was disturbed on the parcel was in December of 2004.

Appraiser Mumm pointed out there was a section of the statute that allows a property owner who was in agriculture to use part of his property for a non-agricultural purpose without filing a parcel map. The property owner has to file a record of survey with the Assessor's Office for the portion of the property being disturbed. Appraiser Mumm stated the Appellant failed to file the record of survey with the Assessor's Office. He said the disturbing of the property was the evidence on Parcel No. 012-280-73 that it has been converted. Mr. Jensen acknowledged the parcel map would be delivered to the Assessor's Office as soon as it is recorded.

In response to Member Schmidt, Mr. Jensen stated the Petitioner does have a final map. Member Schmidt discussed the statute as it applied to Parcel No. 012-280-73.

Appraiser Mumm commented the statute that was created for agricultural assessment was a statute of privilege. He said the concept of statute of privilege was to preserve, conserve or continue in existence adequate agricultural use. He explained that, when the surface of the property was disturbed for anything other than agricultural use, the property has been converted. It is a penalty that is applied by the Legislature. He confirmed parcel and property do not have different meanings in this case, and Member Schmidt voiced his disagreement with Appraiser Mumm's interpretation.

The Chairman closed the hearing.

Member Schmidt commented on Exhibit III, regarding the Deputy District Attorney's Opinion dated January 29, 1997. He said the Assessor's Office had opportunity to seek a confirmation or a validation of this Opinion at the Attorney General's level and did not. Member Schmidt stated his greater concern was an issue he has raised repeatedly for the past 15 years as an appellant to the Board of Equalization (BOE) and as a Board member on the BOE. He said there was a conflict of interest for the BOE to be represented by a member of the District Attorney's Office and for the Assessor's Office to be represented by a member of the District Attorney's Office. He commented that Chinese walls not only extend between the two opposing counsels and adversarial relationships, but they extend up the chain of command. He noted, on the Opinion dated January 29, 1997, the District Attorney stamped it and this was an opinion from Maureen Griswold who was representing the Assessor's Office at that time. In all the correspondence from the BOE's attorneys that he has seen, the District Attorney has stamped it. He added that destroys any Chinese walls when the supervising attorney is the one confirming the correspondence of both the attorneys representing the adversarial opponents. He said he would not consider the Opinion, in any manner, and would not consider opinions from the District Attorney's Office, in any manner, while he serves on the BOE, unless convinced by an argument from his fellow Board members. He strongly advised the Assessor's Office to seek Attorney General opinions and bring those before

the BOE, not opinions from the District Attorney's Office stamped by the District Attorney.

Member Koziol referenced Exhibit III and stated that, because the Petitioner did not file that parcel map, the parcel remains agricultural. Chairman Sparks said he viewed it the opposite way. Discussion followed between Member Koziol and Chairman Sparks. Member Schmidt offered his opinions on the distinction between parcel and property. He said there was a higher duty of the State and the Assessor's Office to be more definitive concerning defining parcel and property.

Member Schmidt made a motion concerning Parcel No. 012-280-73 that based upon the evidence presented by the Assessor and the Petitioner, 3.29 acres should be maintained in the agricultural deferment program and the 4.96 acres should not. Member Koziol seconded the motion.

Chairman Sparks commented the Petitioner had remedies in which to parcel or sub-divide Parcel No. 012-280-73 prior to the disruption of that parcel, and the Petitioner did not take the remedy. He said it would be beyond his scope to sub-divide that parcel into a 4.96-acre parcel and a 3.29-acre parcel without seeing any surveys. Chairman Sparks stated if there was a sub-division of that parcel into two parcels, with one being converted and one not being converted, the Petitioner still has the right to petition the Assessor's Office to retain their agricultural use for the new parcel because it has been continually used for agricultural purposes.

Member Brush remarked the action could have been taken to record the parcel, and the Petitioner does have recourse after the sale is complete to put the piece of property that is being used as a working farm back into agricultural use.

Member Schmidt said he was offended and concerned about the failures on the part of the Assessor's Office; and, on that basis alone, maybe they would seek an Attorney General's Opinion.

On call for the question, the motion failed with Members Koziol and Schmidt voting "yes," and Members Brush, Krolick, and Sparks voting "no."

Chairman Sparks made a motion concerning Parcel No. 012-280-73 to uphold the Assessor's appraisal of the subject property based upon the evidence presented at the hearing, and Member Brush seconded the motion.

Member Schmidt informed the Board members that, if the motion on the table dies, the Board could move on and there would be no action taken on this item. The Board would not have weighed in for or against the Petitioner or the Assessor's Office. He said, by virtue of the statute, the appeal would be denied and the Petitioner would have the opportunity to move forward to the State Board of Equalization; but, the Petitioner would do so on neutral ground because this Board would not have granted or denied the appeal.

On call for the question, the motion failed with Members Brush and Sparks voting "yes," and Members Koziol, Krolick, and Schmidt voting "no."

Chairman Sparks commented he was basing his motion concerning Parcel No. 012-280-73 upon the fact that, as of the lien date, there was no disturbance on the subject parcel. He stated, if the Assessor finds there was disturbance, they could make a supplemental change to the roll; and/or if there was a new deed recorded, showing the splitting of the parcel, then the Assessor could go forward with that.

Based on the FINDINGS that the agricultural deferment should still be applied to the subject parcel, as evidenced by the Petitioner's Exhibits A, B, C, D, and E, on motion by Chairman Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 012-280-73 be reduced to \$2,638. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit II, on motion by Chairman Sparks, seconded by Member Koziol, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 012-280-75 be upheld.

3:15 p.m. The Board recessed.

3:20 p.m. The Board reconvened with all members present.

05-46E **HEARING NO. 0058 – HOMELAND, INC.**
PARCEL NO. 047-032-04

A petition for Review of Assessed Valuation received from Homeland Inc., protesting the taxable valuation on the land located at Snow Flower Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-1 LDS and designated vacant, single-family resident.

Chris Mumm, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Howard Zimmerman, Petitioner, was sworn and submitted the following documents into evidence:

Exhibit A, Contract For Sale of Real Property and Preliminary Escrow Instructions

Exhibit B, Preliminary Report on Title

Exhibit C, Deed of Easement

Exhibit D, a map of the parcel

Petitioner Zimmerman testified that the market value set by the Assessor's Office was not correct. He said one year ago he verbally offered the property to a real estate agent for \$30,000, and the agent turned down the offer. He pointed out the two easements that run along the parcel, and a gully that would be expensive to remedy. He stated the 50-foot wide easement takes away one-third of the property. Petitioner Zimmerman explained that down the center of the property was another 30-foot wide easement, and the easement was owned by multiple parties. In 1998, the value of the property was set at \$30,000, and that was the full value of the parcel. He noted someone who was not an officer of Homeland, Inc. granted an improper easement down the 30-foot strip of the property, and it took years in court to have the easement removed. Petitioner Zimmerman used Exhibit D to demonstrate to the Board the restrictions and burdens on the parcel. He confirmed that Homeland, Inc. would not sell the parcel for less than \$30,000. He said the property today could not be marketed for \$120,000, and current market value should be \$30,000 because the parcel was subject to the multiple holders of the two easements across the parcel.

Member Schmidt asked if the easements were recorded, and Petitioner Zimmerman concurred and answered further questions from Member Schmidt. Petitioner Zimmerman could not confirm for Member Schmidt if the 50-foot easement was cleared of snow this winter.

Member Brush inquired about Exhibit A, and Petitioner Zimmerman explained that American Recon, Inc. was the prospective buyer; but the company did not go through with the transaction because they found the parcel was not worth \$47,000. He clarified the two easements were on the parcel at that time, and the purchaser was interested in keeping in place only the 50-foot easement. Petitioner Zimmerman confirmed Homeland, Inc. acquired the property in 1992-93 for \$15,000, subject to the 30-foot easement.

In response to Member Schmidt, Petitioner Zimmerman confirmed that the \$30,000 was upheld at a hearing before the Board of Equalization in February of 1998. He said the Assessor's Office did not appeal the decision, and there has been no change in the property in utilization since 1998. He noted both easements were in place in 1998.

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 7

Appraiser Mumm reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that at the hearing in 1998 the only argument made was about the 30-foot easement, as the 50-foot easement did not exist at the time. He clarified he received the recording for the 50-foot easement in 2003 and that was why the value was adjusted for the 2004 roll. Appraiser Mumm reviewed how he arrived at the value of \$116,640, as

outlined in Assessor's Exhibit I. He suggested different ways to deal with the easements on the property.

Member Schmidt stated the addition of another easement, without the removal of the first easement, quadruples the value of the property. Appraiser Mumm disagreed and clarified that one of the owners of the 30-foot easement accepted the new easement. He said the 50-foot easement was superior to the 30-foot easement, and the value of the property was based on how much it would cost to fix the problems on the parcel.

Member Schmidt inquired if the parcel should be adjusted due to the shape of the parcel and less opportunity for set back from the easement. Appraiser Mumm said there would be a side-yard set back; and there would be two-thirds of an acre remaining to build a house; and he would not make an adjustment for the reasons voiced by Member Schmidt.

Member Krolick asked where the access to the lots of LS-4 was located, and Appraiser Mumm said it was on Evergreen Drive.

Member Koziol inquired about the easements, and Chairman Sparks explained that the original easement was given to provide access to the lots, and the 50-foot easement was for underground utilities.

Petitioner Zimmerman had no rebuttal.

The Chairman closed the hearing.

Member Schmidt commented the value should be reduced to \$50,000 due to the shape of the lot, access concerns, and the effort it would take to deal with the easements.

Member Krolick added the land taxable value in 2004 was \$108,000 and there was no challenge from the owner in 2004. He said the easement could be overcome, and there would be 3/4 of an acre available that would offer development potential.

Member Krolick made a motion to adjust the land taxable value back to the 2004 value of \$108,000. Member Brush seconded the motion.

On call for the question, the motion failed with Members Krolick and Brush voting "yes," and Members Koziol, Schmidt, and Sparks voting "no."

Petitioner Zimmerman brought forward the request for the Board to hear both 2004/05 and 2005/06-tax years. Following discussion, it was determined the 2004/05 petition was not scheduled for the hearings on February 9, 2005, a decision

could not be made by the Board on that tax year, and a new hearing would be set of the Petitioner concerning the 2004/05 petition.

Member Krolick pointed out the similarities between LS-3 and the subject parcel.

Based on the FINDINGS that taxable value exceeds full cash value, as evidenced by the Petitioner's Exhibits A, B, C, and D, on motion by Member Schmidt, seconded by Member Koziol, which motion duly carried with Members Krolick and Sparks voting "no," it was ordered that the taxable value of the land on Parcel No. 047-032-04 be reduced to \$75,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

4:25 p.m. The Board recessed.

4:30 p.m. The Board reconvened with all members present.

05-47E **HEARING NO. 0059Q – PEAVINE PINES, LLC**
PARCEL NO. 081-150-17

A petition for Review of Assessed Valuation received from Peavine Pines, LLC, protesting the taxable valuation on undeveloped land located south of Peavine Mountain and north of the Somersett development, Washoe County, Nevada, was set for consideration at this time. The property is zoned GR and designated vacant land.

Josh Wilson, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Trent Averett, Petitioner, was sworn and submitted the following documents into evidence:

Exhibit A, Grant, Bargain, Sale Deed

Petitioner Averett testified this was the first year it was recognized that the assessed value was more than Peavine Pines, LLC paid for the subject property on the open market. Petitioner Averett explained the property was purchased from the University of Nevada, Reno, an appraisal was prepared, and it was purchased for \$320,000. He stated \$320,000 should be the fair market value for the property.

Chairman Sparks asked if the Petitioner was aware that the Assessor was recommending a reduction of the land value to \$320,000. Petitioner Averett concurred and said he was in agreement with the recommendation.

Appraiser Wilson submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 10

Exhibit II, Assessor's Summary of Parcels, pages 1 through 9

Appraiser Wilson testified he and the Petitioner were in agreement to reduce the taxable value from \$547,200 to \$320,000. He explained that when he researched the listing in MLS, it was on the market for 294 days and \$320,000 represented the market value of the property at the time of the sale.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value of the land exceeds full cash value, as evidenced by the Assessor's Exhibits I and II, and the Petitioner's Exhibit A, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 081-150-17 be reduced to \$320,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-48E HEARING NOS. 0059E, 0059F, 0059G, 0059H, 0059K, 0059L, 0059M, 0059N, 0059P - PEAVINE PINES, LLC
PARCEL NOS. 081-160-23, 081-150-12, 081-150-16, 081-160-01, 081-150-01, 081-150-05, 081-150-06, 081-150-08, 081-150-11

Petitions for Review of Assessed Valuation received from Peavine Pines, LLC, protesting the taxable valuation on undeveloped land located south of Peavine Mountain and north of the Somerset development, Washoe County, Nevada, were set for consideration at this time. The property is zoned GR and designated vacant land.

Josh Wilson, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Trent Averett, Petitioner, previously sworn, submitted the following documents into evidence:

Exhibit A, Corporation Grant, Bargain, Sale Deed

Petitioner Averett testified there was no legal access to the parcels at the present time, and adverse factors should be considered for the parcels. He said the value of the property has increased while access is being eliminated below the property through Somerset and other developments. Petitioner Averett stated there were prescriptive easements that went to the property that have been eliminated by the PUD planning and development that was prepared and approved by the City of Reno for the Somerset

development. He said, if this property is contiguous to Parcel No. 081-150-17, which was agreed on as \$500 an acre, he would request that value be extended to these parcels.

Appraiser Wilson submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 6

Exhibit II, Assessor's Summary of Parcels, pages 1 through 9

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that the comparable land sales were subject to the same concerns as the subject property. He said he has seen others purchasing properties that are subject to the same concerns, and he believes there is speculative value in these properties. He stated an individual sale of a 40-acre parcel is much different than the sale of a 640-acre parcel in terms of a per acre value.

Chairman Sparks asked about access to the land sales. Appraiser Wilson said the area has a series of dirt roads, and he could not confirm if there would be access to the parcels. He stated he could not identify any recorded easements on the maps. He believed the Peavine Tower access road could be used to reach the parcels, and he confirmed water was not available.

In rebuttal, Petitioner Averett stated the Peavine Tower access road has been identified by the County as a potential public road, but as of today, there is no legal access coming from the other side of the mountain. In response to Member Schmidt's questions, Petitioner Averett explained the properties east of his parcels belong to the Bureau of Land Management (BLM) and the U.S. Forest Service owns the parcels to the north. He noted the difficulties to gain rights-of-way across undeveloped BLM land. He said the area is extremely steep, and it would be difficult to build a road up the terrain. Petitioner Averett agreed that the property could have value at some point in time but not presently. He confirmed his intention was to gain access to the top of Peavine and it would be access from the south. He said this group of properties should have a lesser value because of their location.

Member Schmidt commented on the value of the land and stated the Board has to look at the properties as to their value individually. He inquired about the water rights, and Petitioner Averett confirmed there were no water rights affiliated with the properties.

Member Krolick asked if there was any other land listed in the area of the parcels. Appraiser Wilson said there was only one current listing, and he pointed it out for the Board. Member Krolick commented there is a market for the land in the area.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibits I and II, on motion by Chairman Sparks, seconded by Member Krolick, which motion duly carried, it was ordered that the taxable value of the land on Parcel Nos. 081-160-23, 081-150-12, 081-150-16, 081-160-01, 081-150-01, 081-150-05, 081-150-06, 081-150-08, and 081-150-11 be upheld.

05-49E HEARING NOS. 0059A, 0059B, 0059C, 0059D, 0059I, 0059J
PEAVINE PINES, LLC
PARCEL NOS. 081-170-05, 081-170-06, 081-170-07, 081-170-08,
081-170-03, 081-170-04

Petitions for Review of Assessed Valuation received from Peavine Pines, LLC, protesting the taxable valuation on undeveloped land located south of Peavine Mountain and north of the Somerset development, Washoe County, Nevada, were set for consideration at this time. The property is zoned GR and designated vacant land.

Josh Wilson, Appraiser, duly sworn, oriented the Board as to the location of subject property.

Trent Averett, Petitioner, previously sworn, submitted the following documents into evidence:

Exhibit A, Corporation Grant, Bargain, Sale Deed

Petitioner Averett testified that he has a contiguous corner with the Somerset development, and the company is attempting to negotiate access through the development. He said the terrain, access issues, and the difficulties with developing the property are adverse factors that should be considered.

Appraiser Wilson submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 7

Exhibit II, Assessor's Summary of Parcels, pages 1 through 9

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

In rebuttal, Petitioner Averett stated he did not see how the land sales could be applied as a factor in determining the value of the property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibits I and II, on motion by Chairman Sparks, seconded by Member Brush, which motion duly carried, it was ordered that the taxable

value of the land on Parcel Nos. 081-170-05, 081-170-06, 081-170-07, 081-170-08, 081-170-03, and 081-170-04 be upheld.

5:10 p.m. Chairman Sparks left the meeting and Vice Chairman Schmidt assumed the gavel.

5:11 p.m. The Board recessed.

5:23 p.m. The Board reconvened with Chairman Sparks absent.

05-50E **HEARING NO. 0010A – MOYA O. LEAR, TR. ET AL**
PARCEL NO. 090-030-21

A petition for Review of Assessed Valuation received from Moya O. Lear, Tr., et al, protesting the taxable valuation on land located at Moya Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated vacant industrial.

Gary Warren, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following pre-numbered documents into evidence:

Owner's Opinion of Value Exhibit
Exhibit A, Sellers Closing Statement – Final
Exhibit A-1, Parcel Map
Exhibit B, Real Estate Advertisement
Exhibit C, Sellers Closing Statement – Final
Exhibit C-1, Parcel Map
Exhibit D, Real Estate Advertisement
Exhibit E, Sellers Closing Statement – Final
Exhibit F, Map
Exhibit G, Parcel Map
Exhibit G-1, Stead Solvent Site
Exhibit G-2, Current cost estimate for OU1 remediation (2002-03 dollars)

Appraiser Warren submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 18
Exhibit II, a letter from the Nevada Land Conservancy

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

Vice Chairman Schmidt referred to the Owner's Opinion of Value Exhibit, and asked if the statement regarding a letter of intent from the Nevada Land Conservancy to buy the parcel for approximately \$200 per acre was accurate. Mr. Warren replied that the Nevada Land Conservancy had not made a formal offer. Vice Chairman Schmidt said it appeared that the Petitioner's source of opinion of value was the \$200 per acre offer. Appraiser Warren said the letter does not constitute a sale.

Member Koziol inquired about the statement on Exhibit A that designated the parcel as wetland. Appraiser Warren referred to Exhibit I, page 5, and explained the Wetland Easement for the Lear property.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibits I and II, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-030-21 be upheld.

05-51E HEARING NO. 0010B – MOYA O. LEAR, TR. ET AL
PARCEL NO. 090-040-14

A petition for Review of Assessed Valuation received from Moya O. Lear, Tr., et al protesting the taxable valuation on land located at Moya Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated other unbuildable.

Gary Warren, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following pre-numbered documents into evidence:

- Owner's Opinion of Value Exhibit
- Exhibit A, Sellers Closing Statement – Final
- Exhibit A-1, Parcel Map
- Exhibit B, Real Estate Advertisement
- Exhibit C, Sellers Closing Statement – Final
- Exhibit C-1, Parcel Map
- Exhibit D, Real Estate Advertisement
- Exhibit E, Sellers Closing Statement – Final
- Exhibit F, Map
- Exhibit G, Parcel Map
- Exhibit G-1, Stead Solvent Site
- Exhibit G-2, Current cost estimate for OU1 remediation (2002-03 dollars)

Appraiser Warren submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 10

Exhibit II, a letter from the Nevada Land Conservancy

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

Vice Chairman Schmidt inquired about LS-9. Appraiser Warren confirmed that the water rights were purchased separately, and the land sold for \$500 an acre without water rights.

The Vice Chairman closed the hearing.

Member Brush asked about LS-13, and if the two parcels outside the lakebed would modify the price. He remarked the useable land is worth more per acre than the unusable land and said the same formula should not be used.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit I, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-040-14 be upheld.

05-52E HEARING NO. 0010C – MOYA O. LEAR, TR. ET AL
PARCEL NO. 090-030-22

A petition for Review of Assessed Valuation received from Moya O. Lear, Tr., et al, protesting the taxable valuation on land located at Moya Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated vacant industrial.

Gary Warren, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following pre-numbered documents into evidence:

- Owner's Opinion of Value Exhibit
- Exhibit A, Sellers Closing Statement – Final
- Exhibit A-1, Parcel Map
- Exhibit B, Real Estate Advertisement
- Exhibit C, Sellers Closing Statement – Final
- Exhibit C-1, Parcel Map
- Exhibit D, Real Estate Advertisement
- Exhibit E, Sellers Closing Statement – Final
- Exhibit F, Map

Exhibit G, Parcel Map
Exhibit G-1, Stead Solvent Site
Exhibit G-2, Current cost estimate for OU1 remediation (2002-03 dollars)
Appraiser Warren submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 10

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that he was recommending a reduction based upon the analysis of the land sales, and the long, narrow shape of the subject parcel.

The Vice Chairman closed the hearing.

Based on the FINDINGS that adverse factors had not been considered (irregular lot shape), as evidenced by the Assessor's Exhibit I, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-030-22 be reduced to \$810,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-53E HEARING NO. 0010D – MOYA O. LEAR, TR. ET AL
PARCEL NO. 090-030-28

A petition for Review of Assessed Valuation received from Moya O. Lear, Tr. et al, protesting the taxable valuation on land located at Moya Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned IB and designated vacant industrial.

Gary Warren, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following pre-numbered documents into evidence:

Owner's Opinion of Value Exhibit
Exhibit A, Sellers Closing Statement – Final
Exhibit A-1, Parcel Map
Exhibit B, Real Estate Advertisement
Exhibit C, Sellers Closing Statement – Final
Exhibit C-1, Parcel Map
Exhibit D, Real Estate Advertisement
Exhibit E, Sellers Closing Statement – Final
Exhibit F, Map

Exhibit G, Parcel Map
Exhibit G-1, Stead Solvent Site
Exhibit G-2, Current cost estimate for OU1 remediation (2002-03 dollars)

Appraiser Warren submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 13
Exhibit II, a letter from the Nevada Land Conservancy

Appraiser Warren reviewed sales of comparable properties and testified that he would recommend the taxable value of the land be reduced to the listing price of \$220,000. He explained that the configuration of the property had changed due to a parcel split and sale, and the result was a decrease in the size and value of the subject parcel.

The Vice Chairman closed the hearing.

Vice Chairman Schmidt said he could support a further reduction based upon the evidence and testimony by the Appraiser concerning the real estate market and the extended length of time the property has been listed.

Based on the FINDINGS that taxable value exceeds full cash value, as evidenced by the Assessor's Exhibit I, on motion by Member Brush, seconded by Member Koziol, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-030-28 be reduced to \$210,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-54E HEARING NO. 0010E – MOYA O. LEAR, TR. ET AL
PARCEL NO. 090-410-08

A petition for Review of Assessed Valuation received from Moya O. Lear, Tr. et al, protesting the taxable valuation on land located at Moya Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned I and designated vacant industrial.

Gary Warren, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following pre-numbered documents into evidence:

Owner's Opinion of Value Exhibit
Exhibit A, Sellers Closing Statement – Final
Exhibit A-1, Parcel Map

Exhibit B, Real Estate Advertisement
Exhibit C, Sellers Closing Statement – Final
Exhibit C-1, Parcel Map
Exhibit D, Real Estate Advertisement
Exhibit E, Sellers Closing Statement – Final
Exhibit F, Map
Exhibit G, Parcel Map
Exhibit G-1, Stead Solvent Site
Exhibit G-2, Current cost estimate for OU1 remediation (2002-03 dollars)

Appraiser Warren submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 12

Appraiser Warren testified that the Petitioners created this parcel to segregate the highest concentration of contamination from solvents that were in an underground plume dating back to the property's use as an Air Force Base. He said the contamination has already been reflected in the value; however, a further recommended reduction stems from additional impairment to the property. He explained approximately one acre of land lies between two railroad spurs and the area is inaccessible.

In response to Vice Chairman Schmidt, Appraiser Warren explained there was a special fund set up to remove all of the contamination down to the acceptable level by the Division of Environmental Protection. He clarified that the \$7-million, referred to by the Owner's Opinion of Value Exhibit, would not be the cost of clean up for the subject parcel, but for the entire contaminated area.

The Vice Chairman closed the hearing.

Based on the FINDINGS that adverse factors had not been considered, as evidenced by the Assessor's Exhibit I and the Owner's Opinion of Value Exhibit, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-410-08 be reduced to \$33,180. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-55E HEARING NOS. 0017, 0018 – DBB HOLDINGS, INC.
PARCEL NOS. 090-150-18, 090-150-22

Petitions for Review of Assessed Valuation received from DBB Holdings, Inc., protesting the taxable valuation on land located at Stead Boulevard, Washoe County, Nevada, was set for consideration at this time. The properties are zoned IB and designated splinter, and IB vacant commercial, respectively.

Chris Mumm, Appraiser, duly sworn, oriented the Board as to the location of subject property. He confirmed the parcels could be heard together, as they are adjacent to each other.

The Petitioner was not present.

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 7, concerning Parcel No. 090-150-18

Exhibit II, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 7, concerning Parcel No. 090-150-22

Appraiser Mumm testified that the two parcels sold together in September 2004 for \$400,000, and he recommended the properties be valued based on that sale. He noted he left a message for the Petitioner advising him of the recommendation; however, the Petitioner had not responded.

The Vice Chairman closed the hearing.

Based on the FINDINGS that taxable value exceeds full cash value as evidenced by the September 2004 sale of the subject, and by the Assessor's Exhibit I, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-150-18 be reduced to \$49,953. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Based on the FINDINGS that taxable value exceeds full cash value as evidenced by the September 2004 sale of the subject, and by the Assessor's Exhibit II, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 090-150-22 be reduced \$337,192. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-56E HEARING NOS. 0022A, 0022B, 0022C – LARRY G. DIGHERA
PARCEL NOS. 066-260-54, 066-260-55, 066-070-09

Petitions for Review of Assessed Valuation received from Larry G. Dighera, protesting the taxable valuation on land located at State Route 34, Washoe County, Nevada, were set for consideration at this time. The properties are zoned M3-GR and designated 012-vacant single.

Chris Mumm, Appraiser, duly sworn, oriented the Board as to the location of subject properties. He stated the properties are agricultural lands and have no other value.

The Petitioner was not present, but submitted the following document into evidence:

Exhibit A, a letter from the Petitioner stating that the property has been for sale for over three years, and it has not sold. The letter noted there had been no comparable sales in the area, and he finds the taxable values to exceed the fair market values.

Appraiser Mumm submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 8, concerning Parcel No. 066-260-54

Exhibit II, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 9, concerning Parcel No. 066-260-55

Exhibit III, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 6, concerning Parcel No. 066-070-09

Appraiser Mumm reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

In response to Vice Chairman Schmidt, Appraiser Mumm clarified that Parcel No. 066-260-54, an 80-acre parcel, has a lesser value as compared to Parcel No. 066-070-09, a 40-acre parcel, due to its proximity to an access road.

The Vice Chairman closed the hearing.

Member Krolick remarked that the Petitioner should have included a signed listing agreement or a flyer to verify their statement of a \$100 per acre offer. Vice Chairman Schmidt concurred and encouraged the Petitioner to present further documents in the future.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit I, on motion by Member Koziol, seconded by Member Brush, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 066-260-54 be upheld.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit II, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 066-260-55 be upheld.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit III, on motion by Member Koziol, seconded by Member Brush, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 066-070-09 be upheld.

05-57E HEARING NO. 0024 - DAVID G. AND DIANA G. ROVETTI
PARCEL NO. 148-061-35

A petition for Review of Assessed Valuation received from David G. and Diana G. Rovetti, protesting the taxable valuation on land located at 5855 Strasbourg Court, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant single family resident.

Gail Vice, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following documents into evidence:

- Exhibit A, a letter in dispute of the assessed value of the subject parcel
- Exhibit B, an Addendum to the letter
- Exhibit C, a letter from the Assessor's Office

Appraiser Vice submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 6

Appraiser Vice testified she had a recommendation for the subject parcel, and the owner was in agreement with the recommendation. She recommended the land value be reduced to \$399,000, which was the actual listing price the owners have set.

The Vice Chairman closed the hearing.

Based on the FINDINGS that taxable value exceeds full cash value, as evidenced by the Assessor's Exhibit I and the Petitioner's Exhibits A, B, and C, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Krolick, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 148-061-35 be reduced to \$399,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-58E

HEARING NO. 0036 - ALBERT W. AND JANE E. DUFFIELD, TR
PARCEL NO. 148-221-03

A petition for Review of Assessed Valuation received from Albert W. and Jane E. Duffield, Tr., protesting the taxable valuation on land located at 20242 Bordeaux Drive, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Gail Vice, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted the following documents into evidence:

Exhibit A, a letter concerning legal representation for the Petitioner

Appraiser Vice submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 8

Appraiser Vice testified she had a recommendation for the subject parcel, and the owner was in agreement with the recommendation. She explained that recent sales within Montreux of parcels of similar size and with similar golf course amenities indicate a range of \$625,000 to \$750,000. She noted, with the application of the land factor of eight percent, the subject property's land value was increased to \$810,000, which is above the range of the comparables. Appraiser Vice recommended the taxable land value be reduced to \$750,000, which was the value prior to the increase from the land factor. She added she had a verbal agreement from the Petitioner's legal representative.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value exceeds full cash value, as evidenced by the Assessor's Exhibit I, and as recommended by the Assessor, on motion by Member Koziol, seconded by Member Brush, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land on Parcel No. 148-221-03 be reduced to \$750,000. The Board also made the finding that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

05-59E

HEARING NO. 0065 - SIERRA BOUQUET VII, LLC
PARCEL NO. 025-241-29

A petition for Review of Assessed Valuation received from Sierra Bouquet VII, LLC, protesting the taxable valuation on land and improvements located at

3875 Glen Street, Washoe County, Nevada, was set for consideration at this time. The property is zoned SPD and designated General Commercial.

Theresa Wilkins, Appraiser, duly sworn, oriented the Board as to the location of subject property.

The Petitioner was in attendance, but had to leave before the hearing was called.

Appraiser Wilkins submitted the following documents into evidence:

Exhibit I, Assessor's Fact Sheet(s) including comparable sales, maps and subject's appraisal record, pages 1 through 11

Appraiser Wilkins testified that the Petitioner cited his tax-exempt status as his reason for appealing. She stated her research indicated that the exempt status was denied for 2004/05, and for 2005/06 it would be pending upon his re-submittal of an application and amendments to his lease. She referenced Exhibit I that summarized why he was denied. Appraiser Wilkins said the main reason for the denial was that his lease did not conform with NRS 361.096, Subsection 2.(b).

Member Brush inquired if the property would be used as a school, and Appraiser Wilkins said it appears it is being used as a school.

Vice Chairman Schmidt asked if they were granted the tax-exempt status at any time, if the exemption would be pro-rated for a particular tax year. Appraiser Wilkins stated, in September of 2004, the Board of County Commissioners passed a no tax refund resolution that would mean no refund would be granted for previous years for the Petitioner. She said the Petitioner has the ability to protect his lease in accordance with the statute for 2005/06.

The Chairman closed the hearing.

Peter Simeoni, Legal Counsel, clarified that this petition deals with the value for 2004/05 and the Board is dealing with 2005/06 values. He said the Petitioner has failed to timely seek a review of the tax-exempt status.

Based on the FINDINGS that the taxable value does not exceed full cash value, as evidenced by the Assessor's Exhibit I, on motion by Vice Chairman Schmidt, seconded by Member Koziol, which motion duly carried with Chairman Sparks absent, it was ordered that the taxable value of the land and improvements on Parcel No. 025-241-29 be upheld.

It was noted there was insufficient evidence to grant any change in the tax-exempt status, and it may not be within the purview of the Board to address tax-exempt status. It was further noted that the capacity of the Board to weigh in on tax-exempt

status in any manner is unknown; and if the Board had such a capacity, the evidence by the Petitioner and the Assessor's Office would not warrant any changes.

05-60E BOARD MEMBER COMMENTS

Vice Chairman Schmidt announced he would place an item on a future agenda concerning making recommendations to the State Legislature for changes to NRS 361.340, which was placed on file with the Clerk.

Member Koziol requested an item be placed on a future agenda concerning the pay structure for the Board members. Vice Chairman Schmidt concurred and requested it be an action item.

PUBLIC COMMENTS

7:20 p.m. Vice Chairman Schmidt passed the gavel to Member Koziol.

Gary Schmidt, Washoe County resident, reviewed NRS 361.340, which was placed on file with the Clerk, and offered suggestions for changes. He explained his experience with the Board of Equalization over the past 15 years.

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7:30 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 10, 2004, at 9:00 a.m.

STEVEN SPARKS, Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
And Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Jan Frazzetta and Lori Rowe
Deputy Clerks*