CITY OF WASECA BOARD OF REVIEW MEETING MONDAY, APRIL 9, 2018 7:00 P.M.

AGENDA

- 1 <u>CALL TO ORDER/ROLL CALL</u>
- 2 HEARING OF PROPERTY OWNERS
- 3 <u>ADJOURNMENT</u>

CITY OF WASECA BOARD OF REVIEW MEETING

NOTICE IS HEREBY GIVEN that the Board of Appeal and Equalization (Board of Review) for the City of Waseca shall meet on Monday, April 9, 2018, at 7:00 p.m. in the City Hall Council Chambers, 508 South State Street, Waseca. The purpose of this meeting is to determine whether taxable property in the jurisdiction has been properly valued and classified by the assessor, and to determine whether corrections need to be made.

If you believe the value or classification of your property is incorrect, please contact your assessor's office to discuss your concerns. If you are still not satisfied with the valuation or classification after discussing it with your assessor, you may appear before the local Board of Appeal and Equalization. The Board shall review the valuation, classification, or both if necessary, and shall correct it as needed. Generally, an appearance before your local Board of Appeal and Equalization is required by law before an appeal can be taken to the County Board of Appeal and Equalization.

No complaint that another person's property is valued too low will be acted upon until the person, or his agent, shall have been notified of such complaint.

Appeals in writing must be submitted to the City Manager by 4:30 p.m. on Thursday, April 5, 2018.

Published 3/23/18, 3/30/18

City Manager City of Waseca, Minnesota

2018 LBAE Meeting

Hello Everyone

We have updated all values in Waseca County; our assessed values have to be between 90 - 105% of what properties would sell for.

- 1. Tillable Ground 2% increase
- 2. Township Residential 5% increase except Alton, Vivian and Wilton.
- 3. Township Agricultural Sites 2% increase on extra features
- 4. Waseca City Commercial 3% increase
- 5. Janesville City Residential 12% increase
- 6. New Richland City Residential 8% increase
- 7. Waldorf City Residential 5% increase

The Local Board of Appeal and Equalization meetings begin on April 9th. Below is the schedule.

In accordance with the provisions of MINNESOTA STATUTE- 274.01, as amended, the following dates are hereby fixed for the Meeting of Boards of Review in Townships and the Cities, Waseca County, Minnesota.

Janesville Twp	Monday, April 9	9:00 – 9:30 a.m.	Janesville City Hall
Iosco Twp	Monday, April 9	1:00 - 1:30 p.m.	Township Hall
City of Waseca Hall	Monday, April	9 7:00 - 7:30 p.	m. Waseca City
Blooming Grove Twp	Tuesday, April 10	9:00 - 9:30 a.m.	Township Hall
Vivian Twp Center	Tuesday, April 10	1:00 - 1:30 p.m.	Waldorf Community
Alton Twp	Wednesday, April 11	9:00 - 9:30 a.m.	Township Hall
Freedom Twp	Thursday, April 12	9:00 - 9:30 a.m.	Township Hall
Wilton Twp	Thursday, April 12	1:00 - 1:30 p.m.	Township Hall

2018

OPEN BOOK

	Monday, April 16	8am – 4:30pm County Assessor's Office
Byron Twp		
New Richland Tw	/p	
Otisco Twp		
St. Mary Twp		
Woodville Twp		
City of Janesville		
City of New Rich	land	
City of Elysian		
City of Waldorf		

The County Board of Appeal and Equalization meeting is scheduled for June 12, 2018 starting at 6:30pm with appointments required. You can go to the County website, select Departments, Assessor's Office and Board of Review Training to see the list of Trained members for the Local Boards. You can also look at or print the Board of Appeal and Equalization Handbook. It would be good to review this handbook before our LBAE meeting. A change made going forward is that the County Board can no longer make changes to an assessed value if the assessor's office is denied access; this does mirror the Local Board rule that has been in place. Below are some screen shots showing our website, the DOR site and some ground rules which I sent out last year.

2018 Local Board of Appeal and Equalization (LBAE) meeting

This is your meeting we are here to give information

Ground Rules:

- 1. Only appeals for the current year valuation or classification can be made taxes or prior years' assessments are not within the jurisdiction of the board;
- 2. The appeal must be substantiated by facts; the appellant should be prepared to answer questions posed by the board
- 3. Property owners may only appeal the estimated market value (EMV), and that the appeals process is concerning this amount not tax amounts;
- 4. Time limits imposed (I suggest 5 minutes)

5. The procedure the board will follow for making decisions (will the board hear all appeals before making any decisions?) This is the most common procedure.

What the board can do:

Reduce the value of a property.

Increase the value of a property.

Local Boards Only: Add properties to the assessment list.

Change the classification of a property. In Minnesota, property is classified according to its use on the assessment date (January 2 of each year). If the property is not currently being used, it is classified according to its most probable, highest and best use.

County Boards Only: Order percentage increases or decreases for an entire class of property (blanket changes).

What the board can't do:

The board can't consider prior year assessments.

The board can't reduce the aggregate assessment by more than 1 percent. Although the both Local and County Boards of Appeal and Equalization have the authority to increase or reduce *individual* assessments, the County Board alone can increase or reduce the assessments of an *entire* class of property

The board can't exempt property. The Board of Appeal and Equalization does not have the authority to grant an exemption or to order property removed from the tax rolls.

A member of the board can't make changes to property in which he/she has a conflict of interest or financial interest. If the remaining members constitute a quorum, the board may vote on the action with the compromised board member abstaining from the vote. Otherwise, or if the board wishes to prevent any perception of preferential treatment, it should mark "No change" on the record form for the meeting. The taxpayer will be eligible to appeal to the next appeal level (County Board, Tax Court).

The board can't grant special program status. Example: Green Acres

The local board can't order percentage increases or decreases for an entire class of property

The board cannot reduce the value of a property when the Assessor's office has been denied access.

LBAE Training

Why do board members need to be trained? Under state law, each Board of Appeal and Equalization meeting must include a voting member who has completed a Department of Revenue training course within the last four years. Each board must also certify by February 1 that the board has a trained member.

Requirement	If LBAE does not meet requirement	
Have a least one trained member by February 1	Board's powers are transferred to the county for a minimum of two assessment years.	
Trained member not present at the board of appeal meeting	Board meeting is turned over to county and becomes an Open Book meeting. Board's powers are also transferred to county for the next assessment year.	1

Go to our website <u>www.co.waseca.mn.us</u> then Departments, then Assessor's Office then Board of Review training.

Waseca Courd Minnesota	About Us	Departments	Community	Online Services
Applications	Home, Departments, Assessor's Office			Contact Us
Appraisals & Inspections Board of Review Training	Assessor's Office		, F	oe Udermann Assessor Email
Department of Revenue Fact Sheets Determination & Changes of Property Taxes	The Assessor's Office is responsible for place property every year as of the assessment da Estimates Value		F a	Assessor's Office Physical Address 107 N State St Vaseca, IMN 56093
Glossary of Assessment Terms Homestead Classification How Can I Change My Tax? Manufactured Homes	The law specifically requires that assessors of value. Property values change continuously of market changes, numerous physical changes considered in estimating like value of property subject to assessment.	with changing economic condition s affect the value of land and build	s. In addition to lings. All factors are n of all property I N	Phone: (507) 835-0640 Fax: (507) 835-0633 Hours Aonday - Frīday 1:00 am - 4:30 pm

LMC Handbook for Cities

RELEVANT LINKS:

Minn. Stat. § 471.59. Minn. Stat. § 471.59, subd.

Handbook, Intergovernmental Cooperation. Minn. Stat. § 471.59, subd. 10.

Minn. Stat. § 471.59, subd. 10.

Minn. Stat. § 179.60.

Minn. Stat. § 273.11, subds. 1, 23. Minn. Stat. § 273.03, subd. 8. Minn. Stat. § 273.13. Minnesota Dept. of Revenue: Class Rate Percentages of Real and Personal Property by Property Type Taxes Payable 2017. Cities must make these contracts or agreements under the terms of the Joint Powers Act. The term "governmental unit" as used for purpose of joint powers agreements includes but is not limited to every:

- City, county, town, school district.
- Independent nonprofit firefighting corporation.
- Other political subdivision of this or another state.
- Another state.

However, if an agreement under this law has the effect of eliminating or replacing a public employee who is part of a collective bargaining agreement represented by an exclusive representative, and there is no provision in the collective bargaining agreement detailing the effect of the action on the affected public employee, negotiations on the effects to the employee of the job elimination or restructuring must be conducted between the exclusive representative and the employer.

In addition, a law enacted in 2014 provides a process for transitioning employees into a new bargaining unit once a joint powers entity is formed. This law also contains provisions dealing with seniority, personnel files, layoffs, and recalls.

V. Valuation and classification of property

Assessors must value all property in a city at its estimated market value. Estimated market value (a complex definition in statute) is a trained assessor's estimate of what property would be worth on the open market if sold. The market value is set on Jan. 2 of the year before taxes are payable. State statutes set the tax classifications of property and the Legislature amends them regularly.

A. Equalization procedures

Once the assessors have completed their work, the city, county, and state levels of government review and modify the assessments with limitations. During this review, two kinds of corrections are possible: 1) the governing body may check the assessor's lists for accuracy, hear individual complaints and make any necessary adjustments; and 2) the governing body may equalize the ratio of market to assessed market values. The first function is the sole concern of the city board of review, while the county and state boards devote more time to the second task. **RELEVANT LINKS:**

Minn. Stat. § 274.01, subd. 1(a). Minn. Stat. § 274.014, subd. 3.

Minn. Stat. § 274.014. Department of Revenue: Local Board of Appeal and Equalization Training.

Department of Revenue: Local Board of Appeal and Equalization Handbook.

Minn. Stat. § 274.014, subd. 3.

Minn. Stat. § 274.014 subd. 3.

When the entire procedure is complete, the county auditor puts the valuations in the records to use when making up the tax rate figures. Only when all three levels of government have reviewed and equalized the assessments do they become the official assessed values.

B. City local board of appeal and equalization

The city council serves as the LBAE unless the power is delegated to a special LBAE or to the county, as described below.

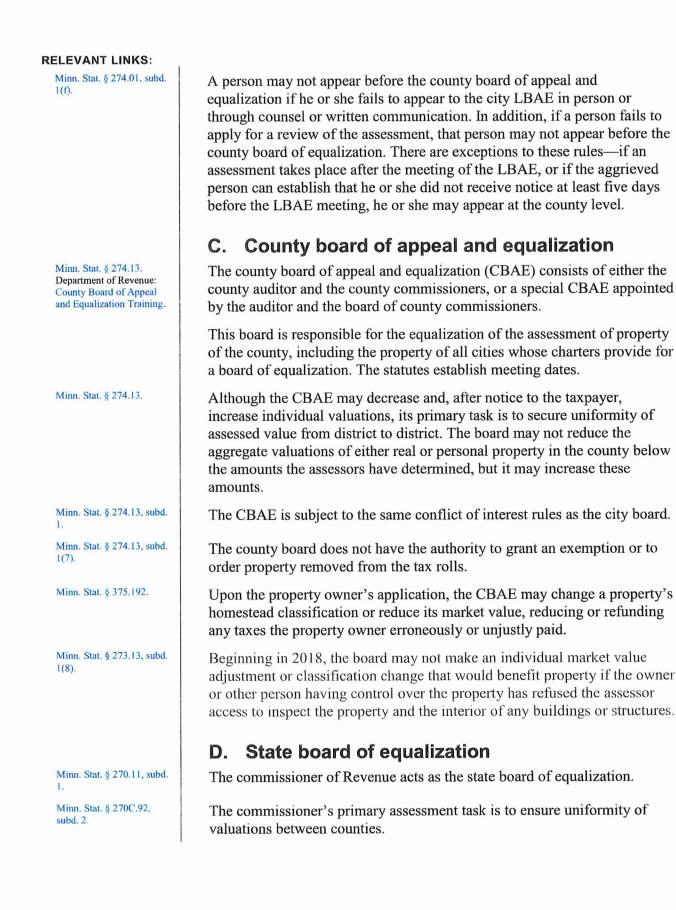
The law requires that at least one voting member of the LBAE at each meeting must have attended an equalization course within the last four years. The commissioner of Revenue develops and teaches the course. The Department of Revenue, in conjunction with host counties, schedules these regular local board training sessions throughout the state for the entire year. Course information is posted annually in May and updated periodically throughout the year.

The appeals and equalization course details the responsibilities, procedures, and requirements of LBAEs. The commissioner of Revenue, as required by state law, offers a handbook to review during the course. The contents of the handbook include:

- The role of the local board in the assessment process.
- The legal and policy reasons for fair and impartial appeal and equalization hearings.
- Local board meeting procedures that foster fair and impartial assessment reviews and other best practices recommendations.
- The role of the local board in the assessment process.
- Quorum requirements for local boards.
- Explanations of alternate methods of appeal.

Any city that conducts LBAE meetings must provide proof to the county assessor by Feb. 1 that it is in compliance with the training requirements (at least one member must have attended the course within the last four years). A city or town that does not comply with these requirements is deemed to have transferred its LBAE powers to the county for a minimum of two years beginning with the current year's assessment and continuing thereafter unless the powers are reinstated under this law.

RELEVANT LINKS:	
Minn. Stat. § 274.01, subd. 2.	In the alternative, the city council may appoint a special LBAE. It may delegate to the board all of the powers and duties the council would have if it acted as the board of review. The members of the special LBAE serve at the direction and discretion of the council. The council determines the number of members, the compensation and expense payments, and the term of office. At least one member of the board must be an appraiser, realtor, or be familiar with property valuations in the assessment district.
Minn. Stat. § 274.01, subd. 1(a).	State law addresses conflict of interest. A board member cannot participate in any actions of the board which result in market value adjustments or classification changes to property owned by the board member, the spouse, parent, stepparent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, or niece of the board member, or property in which the board member has a financial interest. The relationship may be by blood or marriage.
Minn. Stat. § 274.01, subd. 3.	In cities where the county assesses property, the city council may transfer its LBAE power and duties to the county board.
Minn. Stat. § 274.01, subd. 1(a), (e).	The LBAE meets in the city clerk's office. The city assessor and the county assessor must attend this meeting. These officials may take part in the proceedings, but may not vote.
Minn. Stat. § 274.01, subd. 1(a).	The meeting date of the LBAE must be between April 1 and May 31, and is fixed by the county assessor on or before Feb. 15 of each year by giving written notice to the city clerk. After receiving the notice, the clerk must give published and posted notice of the meeting at least 10 days before the date of the meeting.
Minn. Stat. § 274.01, subd. 1(g).	A majority of the members may take action at the LBAE meeting, and may adjourn the meeting from day to day for a period of 20 days until they complete their work. After 20 days, the board has no authority and any action it takes is invalid unless the commissioner of revenue has granted an extension.
Minn. Stat, § 274.01, subd. 1(c).	The LBAE may not reduce the total or aggregate amount of the county assessor's assessment by more than 1 percent. This means the board must often compensate for reductions in assessed values by making comparable increases in assessments against other parcels of property.
Minn. Stat. § 274.01, subd. 1(d).	A local board does not have authority to grant an exemption or to order property removed from the tax rolls.
Minn. Stat. § 274.01, subd. 1(g).	All complaints made about an assessment or classification after the meeting of the board must be heard and determined by the county board of equalization.



(9) All personal estate of moneyed corporations, whether the owners reside within or without the state;

(10) All shares in foreign corporations owned by residents of this state; and

(11) All shares in banks organized under the laws of the United States or of this state.

Subd. 3. **Construction of terms.** For the purposes of chapters 270 to 284, unless a different meaning is indicated by the context, the words, phrases, and terms defined in this section have the meanings given them.

Subd. 4. Money or moneys. "Money" or "moneys" means gold and silver coin, treasury notes, bank notes, and other forms of currency in common use, and every deposit which any person owning the same, or holding in trust and residing in this state, is entitled to withdraw in money on demand.

Subd. 5. Credits. "Credits" includes every claim and demand for money or other valuable thing, and every annuity or sum of money receivable at stated periods, due or to become due, and all claims and demands secured by deed or mortgage, due or to become due, upon which the mortgage registration tax has not been paid, and all shares of stock in corporations 75 percent or more of the real or tangible personal property of which is not taxable in this state.

Subd. 6. **Tract, lot, parcel, and piece or parcel.** (a) "Tract," "lot," "parcel," and "piece or parcel" of land means any contiguous quantity of land in the possession of, owned by, or recorded as the property of, the same claimant or person.

(b) Notwithstanding paragraph (a), property that is owned by a utility, leased for residential or recreational uses for terms of 20 years or longer, and separately valued by the assessor, will be treated for property tax purposes as separate parcels.

Subd. 7. Town or district. "Town" or "district" means town, city, or ward, as the case may be.

Subd. 8. **Market value.** "Market value" means the usual selling price at the place where the property to which the term is applied shall be at the time of assessment; being the price which could be obtained at a private sale or an auction sale, if it is determined by the assessor that the price from the auction sale represents an arm's-length transaction. The price obtained at a forced sale shall not be considered.

Subd. 9. **Person.** "Person" means an individual, association, estate, trust, partnership, firm, company, or corporation.

Subd. 10. Merchant. "Merchant" includes every person who owns, or possesses or controls with authority to sell, any goods, merchandise, or other personal property within the state, purchased within or without the state with a view to sale at an advanced price or profit, or which has been consigned to the person from any place without the state for sale within the state.

Subd. 11. **Manufacturer.** "Manufacturer" includes every person who purchases, receives, or holds personal property for the purpose of adding to its value by any process of manufacturing, refining, rectifying, or by the combination of different materials, with a view of making gain or profit thereby.

Subd. 12. [Repealed, 1971 c 427 s 26]

Subd. 13. Internal Revenue Code. Unless specifically defined otherwise, "Internal Revenue Code" means the Internal Revenue Code as defined in section <u>289A.02</u>, subdivision 7.

Subd. 14. **Estimated market value.** "Estimated market value" means the assessor's determination of market value, including the effects of any orders made under section <u>270.12</u> or chapter 274, for the parcel. The provisions of section <u>273.032</u> apply for certain uses in determining the total estimated market value for the taxing jurisdiction.

Subd. 15. Taxable market value. "Taxable market value" means estimated market value for the parcel as reduced by market value exclusions, deferments of value, or other adjustments required by law, that reduce market value before the application of classification rates.

History: (<u>1977</u>, <u>1979</u>, <u>1980</u>, <u>1981</u>) <u>RL s 796</u>, 797, 798, 799; <u>1939 c 127</u>; <u>1947 c 325 s</u> <u>1</u>; <u>Ex1967 c 32 art 7 s 1</u>, 2; <u>Ex1971 c 31 art 17 s 1</u>; <u>1973 c 123 art 5 s 7</u>; <u>1973 c 650 art 24</u> <u>s 2</u>; <u>1974 c 545 s 2</u>; <u>1983 c 222 s 5</u>; <u>1983 c 342 art 2 s 3</u>; <u>1984 c 593 s 5</u>, 6; <u>15p1985 c 14</u> <u>art 3 s 4</u>; <u>1986 c 444</u>; <u>1991 c 291 art 1 s 11</u>; <u>1999 c 243 art 5 s 5</u>; <u>2008 c 366 art 11 s 7</u>, 8;

MINUTES WASECA CITY BOARD OF REVIEW MEETING MONDAY, APRIL 10, 2017

1 CALL TO ORDER/ROLL CALL

The City of Waseca Board of Review meeting was called to order by Mayor Roy Srp at 7:00 p.m.

Councilmembers present:

Mayor Roy Srp Ann Fitch Jeremy Conrath Les Tlougan Allan Rose Mark Christiansen (arrived 7:26 p.m.) Daren Arndt

Staff present:

Danny Lenz, City Manager Mary Buenzow, Records Secretary

Also present were County Assessor Joe Udermann, and Virginia Wenisch, John Curran and Cheryl Clevenger from the County Assessor's Office.

Mayor Srp read aloud the Notice to the Public regarding the Board of Review meeting.

The County Assessor introduced himself and his staff, and explained the purpose of the Board of Review meeting. He distributed a copy of the rules and protocol to those present, stating only local boards can add value to property lists. The Assessor's Office must be able to inspect properties or they are not allowed to make any changes.

The County Assessor commented there are some trained members and he encouraged those who aren't, to go to the MN Department of Revenue website and take the online training to get certified. The City Manager stated training will not be available now until July.

The County Assessor referred to a handout of Waseca County sales information and stated his office must verify every sale to make sure the assessment is qualified.

The County Assessor further stated there were 307 properties in the County which were eligible for credits due to flood damage.

2 HEARING OF PROPERTY OWNERS

Jim Roemhildt 300 15th Avenue NE PID #17-483-0150

Mr. Roemhildt explained he purchased the property in December 2015 for a purchase price of \$1,367,000. The valuation is now \$1,649,900 which he feels is a large difference.

The County Assessor stated he will work with Mr. Roemhildt regarding this property. The valuation did not change from last year, and he cannot change the value from that year. He will make a recommendation for Mr. Roemhildt and if he does not agree he can go to the County Board of Review on June 13th, so there is time to work with these numbers.

Councilmember Christiansen arrived at this time – 7:26 p.m.

The County Assessor stated five (5) property valuations were changed following a phone call or written request, and Council action is needed to approve the following changes:

Bruce Tappe

PID #17-010-1300

Valuation changed from \$151,800 to \$143,700 due to flood damage.

It was moved by Fitch, seconded by Tlougan, to approve the change for Parcel #17-010-1300 from \$151,800 to \$143,800 as stated; the motion carried 7-0.

Joseph McCarthy

PID #17-477-0170

Valuation changed from \$124,700 to \$117,200 due to flood damage.

It was moved by Christiansen, seconded by Fitch, to approve the change for Parcel #17-477-0170 from \$124,700 to \$117,200 as stated; the motion carried 7-0.

Aaron Wirtz

PID #17-528-0020

PID #17-151-1510

Valuation changed from \$234,600 to \$227,500 due to flood damage.

It was moved by Arndt, seconded by Conrath, to approve the change for Parcel #17-528-0020 from \$234,600 to \$227,500 as stated; the motion carried 7-0.

Bayview Loan

Valuation changed from \$123,700 to \$111,400 due to condition of the property.

It was moved by Conrath, seconded by Rose, to approve the change for PID #17-151-1510 from \$123,700 to \$111,400 as stated; the motion carried 7-0.

Anthony Arnfelt

PID #17-160-0140

Valuation changed from \$158,200 to \$151,700 for a quality adjustment per the County Assessor.

It was moved by Conrath, seconded by Srp, to approve the change for PID #17-160-0140 from \$158,200 to \$151,700 as stated; the motion carried 7-0.

Jim Roemhildt PID #17-483-0150

No change in valuation per previous discussion earlier during this meeting.

It was moved by Tlougan, seconded by Fitch, to make no change to the valuation for Parcel #17-483-0150; the motion carried 7-0.

3 ADJOURNMENT

It was moved by Conrath, seconded by Arndt, to adjourn the Board of Review meeting at 7:40 p.m.; the motion carried 7-0.

R. D. SRP MAYOR

MINUTES WASECA CITY BOARD OF REVIEW MEETING MONDAY, APRIL 11, 2016

1 CALL TO ORDER/ROLL CALL

The City of Waseca Board of Review meeting was called to order by Mayor John Clemons at 7:01 p.m.

Councilmembers present:

Mayor John Clemons Fred Salsbury Ann Fitch Les Tlougan Allan Rose Mark Christiansen Daren Arndt

Staff present:

Danny Lenz, City Manager Mary Buenzow, Records Secretary

Also present were Virginia Wenisch and Joh Curran from the County Assessor's Office.

Mayor Clemons explained the purpose of the Board of Review meeting is to hear from property owners regarding their market valuation. The State of Minnesota requires at least one board member to have training. Councilmember Tlougan and Mayor Clemons indicated they have been trained.

Residents may come to the local Board and can appeal to the County Board of Review.

Virginia Wenisch explained the meeting is for valuation and classification for 2017, which will determine taxes for the next budget year, 2017.

Councilmember Tlougan commented if the Board changes someone's evaluation it has to be based on a factual piece of information. Mayor Clemons added the Board of Review can be anyone appointed by the Council and the Waseca City Council has always chosen to be the board.

2 HEARING OF PROPERTY OWNERS

The open hearing began at 7:10 p.m.

Brad Madigan 1601 2nd Street SE PID #17-162-0010

Mr. Madigan explained this 4,080 sq. ft. property is currently valued at \$150,000. He has been unable to sell it for the past four years at prices as low as \$125,000. Mr. Madigan stated he has four similar properties in different states and this property is valued higher than any of the others.

Councilmember Christiansen asked whether Mr. Madigan has received any offers on the property. Mr. Madigan stated he has not, and still has a loan on the building and must also pay \$5,398 in taxes on the property. He stated taxes on a similar building in Wisconsin would be about \$3,000. He has been unable to get the amount everyone tells him this property is worth.

Mayor Clemons asked Mr. Madigan what value he would place on the building. Mr. Madigan felt it is worth between \$75,000 – 90,000 and would like the Board to lower the value to \$100,000.

Mr. Curran commented the G & K building in the area sold for \$94,000 in October 2015.

After further discussion, it was moved by Clemons, seconded by Christiansen, to decrease the market value of the property to \$115,000; the motion carried 7-0.

Mr. Madigan asked if the City has any programs to help businesses. The City Manager replied there are Tax Abatement, Tax Increment Financing, Revolving Loan and other programs.

There was some discussion regarding homestead market valuation exclusion and the effect on properties.

There were no further property owners to address the Board.

The hearing was closed at 8:01 p.m.

3 BOARD OF REVIEW COMPENSATION

It was moved by Tlougan, seconded by Arndt, to receive no additional compensation for this meeting; the motion carried 7-0.

4 ADJOURNMENT

It was moved by Arndt, seconded by Fitch, to adjourn the Board of Review meeting at 8:02 p.m.; the motion carried 7-0.

JOHN CLEMONS MAYOR

MARY BUENZOW RECORDS SECRETARY