



**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
August 5, 2009**

State of Colorado, County of Arapahoe. At a public hearing of the Board of County Commissioners for Arapahoe County, Colorado held at 5334 S Prince St. Littleton CO 80166 there were:

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| Susan Beckman, Chair | Absent & Excused |
| Rod Bockenfeld, Commissioner | Absent & Excused |
| Pat Noonan, Commissioner | Present |
| Jim Dyer, Commissioner | Present |
| Frank Weddig, Commissioner | Present |
| Kathryn Schroeder, County Attorney | Present |
| Nancy A. Doty, Clerk to the Board | Absent & Excused |
| Gail Stumpo, Recording Secretary | Present |

When the following proceedings, among others, were had and done, to wit:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

ADOPTION OF THE MINUTES

There were no minutes to approve.

CEREMONIES

There were no ceremonies.

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

GENERAL BUSINESS AGENDA

Item A – Resolution Nos. 090616-090618 - Consideration of the 2009 County Board of Equalization decisions as recommended by appointed referees and/or as modified by the County Board of Equalization

Commissioner Dyer explained that the purpose of the first request is for the BOCC to consider the County Assessor's request that parcels as identified in the Board Summary Report be increased in value in order to apply equitable treatment to all like properties in the same neighborhood. He said the second recommendation, also dated August 5, 2009, is for the Commissioner's to consider the Assessor's request that parcels as identified in the Board Summary Report be decreased in value in order to apply equitable treatment to all like properties in the same neighborhood. He said the third request, dated August 5, 2009, is for the Commissioners to consider the adoption of a resolution approving the 2009 Board of Equalization decisions as recommended by appointed referees and/or modified by the Board of Equalization.

Deputy County Attorney Jack Bush said on an annual basis the Board of County Commissioners sits as the Board of Equalization to hear appeals filed by taxpayers in the County. He said the process involves an appeal to the Assessor's office followed by an appeal filed to the County Board of Equalization if the taxpayer is dissatisfied with the decision. He said pursuant to statute, Article 8 of Title 39, the Board of County Commissioners has the ability to appoint referees to hear all of the protests and make recommended decisions to the County Board of Equalization. He said earlier the County did appoint referees to hear the protests that were submitted to the County Board of Equalization. He said also by statute 39-8-1072, it is necessary that the County Board of Equalization render its decision on all such appeals no later than close of business on August 5th of each calendar year.

Mr. Bush said there are three Board Summary Reports that are not separately identified. He said one involves approval of all of the recommended referees' decisions. He said another involves a recommendation from the Assessor's office to increase the value of certain parcels as identified and the third is to decrease the value of certain properties identified in the Board Summary Report for a variety of reasons.

Commissioner Dyer asked for clarification that "all" includes the three requests for parcels to be decreased in value. Mr. Bush agreed that "all" includes all the materials referenced in the Board Summary Report.

Commissioner Dyer asked how to identify the requests for a motion.

Mr. Bush suggested that the first resolution is to approve the increase of the value of the identified parcels. He said the second resolution is for the decrease in values to the identified parcels and the third resolution is to approve all the recommendations of the referees as presented to the Board of Equalization.

The motion was made by Commissioner Noonan and duly seconded by Commissioner Weddig to approve Item #1 to increase the parcels in value in order to apply equitable treatment to all like properties in the same neighborhood.

Commissioner Weddig asked about requests regarding increasing and decreasing the value of property.

Kathryn Schroeder explained that there are circumstances where people have asked to increase the Assessor's value of parcels. She said several requests this year were for financing purposes, such as loans, etc. She said that is not the case with these parcels. She said often neighbors will inquire why their property was valued much higher or lower than their neighbor by the Board of Equalization. During the course the Assessor will discover that a neighborhood is often tracked condominiums or tracked homes, which should be valued equally, unless the square footage has changed. An entire neighborhood could be changed as a result of the Board of Equalization process, although there is no protest.

Mr. Bush said taxpayers are notified when a decision is made to increase the value of property due to a clerical error. The taxpayers have the ability to appeal the decision to the Board of Assessment Appeals or a filing of pleading in the district court or to request arbitration.

The motion passed 3-0, Commissioner Beckman absent and excused, Commissioner Bockenfeld absent and excused.

Mr. Bush said Item #2 recommends a decrease in value in the identified parcels as set forth in Board Summary Report.

The motion was made by Commissioner Weddig and duly seconded by Commissioner Noonan to approve Item #2 to decrease parcels in value in order to apply equitable treatment to all like properties in the same neighborhood.

The motion passed 3-0, Commissioner Beckman absent and excused, Commissioner Bockenfeld absent and excused.

Mr. Bush said the last item identified as Item #3 is the adoption of a resolution approving the Board of Equalization referees recommended decisions.

The motion was made by Commissioner Weddig and duly seconded by Commissioner Noonan to approve Item #3 to adopt a resolution approving the 2009 Board of Equalization decisions as recommended by the appointed referees and/or modified by the Board of Equalization.

The motion passed 3-0, Commissioner Beckman absent and excused, Commissioner Bockenfeld absent and excused.

Kathryn Schroeder thanked the Commissioners for coming in this morning and commended her staff for a great job.

COMMISSIONER COMMENTS

There being no other business before the Board, the Chair adjourned the hearing at 9:15 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

**NANCY A. DOTY, CLERK TO THE BOARD
BY GAIL STUMPO, RECORDING SECRETARY**