

The 2016 County of New Kent Board of Equalization met on Monday, June 13, 2016 in the Boardroom of the Administration Building, 12007 Courthouse Circle, New Kent, Virginia, at 2:00 p.m.

ROLL CALL: A roll call determined that Mr. William Wallace, Mr. Mathew Starr, Ms. Amy Pearson, Mr. William Chandler and Mr. Baird Jones were present. Representing the Commissioner's Office were Deputies Shannon McLaughlin and Devin Caldwell. Commissioner of Revenue Laura Ecimovic joined the hearings later.

CONSIDERATION OF MINUTES: On a motion made by Mr. Wallace and seconded by Mr. Chandler, the Board voted 5:0 to approve the minutes of the Board's February 24, 2016, meeting.

CONSIDERATION OF WHITMORE CASE FOR POSSIBLE HEARING: Thomas B. Whitmore, III and Kathleen Whitmore - PID number 100448 - Mr. Whitmore had filed an appeal with the Commissioner of Revenue. The Commissioner's response had been mailed in error to the address of record for the subject property rather than to the address Mr. Whitmore had supplied on the appeal application. Mr. Whitmore did not receive the Commissioner's correspondence and had not been notified of his right to an appeal with the Board of Equalization and the deadline to file such an appeal. Given the circumstances, staff recommended the Board of Equalization consider hearing Mr. Whitmore's appeal on Thursday, June 16th at 4:45 p.m. On a motion made by Mr. Chandler and seconded by Ms. Pearson, the Board voted 5:0 to hear the Whitmore appeal at 4:45 p.m. on Thursday, June 16th.

HEARINGS/CONSIDERATION OF APPEALS: Hearings were scheduled for the following PID numbers: 5859, 1893, 5707, 111192, 732, 3090, 3095, 6999, 101712, 1997, 109776, 108767 and 111351. The owners of PID numbers 6999 and 101712 had called and rescheduled hearings on these parcels to 4:30 p.m. on Tuesday, June 14th.

SEARS, James Dallas, PID #5859 - Mr. Sears had stopped by the Board of Equalization Office earlier in the day indicating he had a dental emergency and was on his way to the dentist. He was not sure he would be able to keep his 2:00 p.m. appointment with the Board. He had left a copy of the building permit for the garage situated on the property suggesting it could be helpful to the Board in making a decision on his appeal. Mr. Sears was informed that the Board would have an opening available at 3:30 p.m. that afternoon if this time would better accommodated his dental appointment. Mr. Sears did not show for either the 2:00 p.m. or 3:30 p.m. appointment. The Board deferred action to allow Mr. Sears an opportunity to contact the Board for another time/date to appear. (Mr. Sears did not contact the Board and a decision was rendered on his case on Thursday, June 16th. Please see those minutes for a final determination.)

GIBRALL CHESTER PROPERTIES LLC, PID #1893 – Property owners Patrick and Deborah Gibrall presented information supporting their appeal. They reported that most

of the property which was zoned “Business” was vacant and had been for a number of years. With Batkins-Eubank as the only tenant, the Gibralls reported the income on the property had gone down significantly and they had not raised the rent in a number of years. They had tried to find tenants but had been unsuccessful. The Gibralls felt the County’s increase of \$66,000 in value was unreasonable. Mr. Caldwell indicated the notes he would be speaking from had been prepared by Commissioner Ecimovic who was currently in a meeting and would join the hearings later. The information provided indicated there were three buildings on the property; two commercial and one residential. It was also noted the appellant had not provided any suggested comparable properties or reported any rental income. Mr. Caldwell indicated this was a “very unique property” and noted there were no comparables. Ms. Ecimovic’s notes recommended the assessment be reduced to \$340,000 with \$141,000 of that being the land and \$199,000 being improvements. Wishing to hear from Ms. Ecimovic, the Board deferred action on this appeal. Discussion on this parcel resumed when Ms. Ecimovic joined the meeting. Ms. Ecimovic pointed out a 1,400 square foot rental home was on the property and indicated it was a very difficult property to assess. She indicated actual rental figures would have been helpful but none had been provided. She also pointed out her department had to take potential gross income into consideration even if the property was not fully leased. A fair and reasonable judgment had to be made in regard to the potential rental income and she indicated she believed the recommended reduction to \$340,000 was supported. Upon a motion made by Mr. Chandler and seconded by Mr. Jones, the Board voted to change the assessment to \$340,000 as recommended by the Commissioner with a value of \$141,000 given to the land and \$199,000 given to the improvements, by a vote of 5:0.

ROGERS, David H, PID #s 5707 and 111192 – Mr. Rogers presented information supporting his appeal. He reported the property had been subdivided into a two-lot family subdivision since the last reassessment. A home was located on one of the lots and a trailer on the other. Mr. Rogers indicated there was no rental income from the properties, a powerline passed over a portion of the property and access to one of the lots was by a gravel road easement passing across the other lot. He suggested all of these factors reduced the value of the properties. Mr. Chandler asked Mr. Rogers if he understood that dividing the property into more lots would increase the value of the properties. Ms. McLaughlin noted that the division had created two buildable lots which had increased the value. Mr. Rogers again suggested the powerline and easement should reduce the value even though there were now two lots. Ms. McLaughlin pointed out that comparables had been made on sales of four smaller lots and they had all sold for similar or higher prices than the Rogers’ assessment. She suggested if the lots did not perk or were not buildable, the assessments would have been much lower. Mr. Rogers indicated he understood he would be charged more when the property was divided but felt a \$60,000 increase in value was too much. Ms. McLaughlin also provided comparables for similar properties where homes were present and again noted similar values. She suggested if any significant problems had been reported with either of the properties, there may have been some reason to reduce the assessments. She noted several of the comparable properties also had roads crossing through them and suggested the comparables for both properties supported the reassessment values. IN RE PID 5707 -

Upon a motion made by Mr. Chandler and seconded by Mr. Wallace, the Board voted to affirm the Commissioner's assessment of \$121,300 by a vote of 4:1 with Mr. Jones casting the dissenting vote. IN RE PID 111192 - Upon a motion made by Mr. Chandler and seconded by Mr. Wallace, the Board voted to affirm the Commissioner's assessment of \$52,000 by a vote of 4:1 with Mr. Jones casting the dissenting vote.

BOWERY, Leon and Geraldine F., PID #732 – Ms. Bowery began discussions regarding property located at 8010 N. Henpeck Road. It was noted there was no application for appeal for this property therefore, it could not be considered by the Board. Mr. Caldwell reported the Commissioner's Office had reviewed the Bowery appeal for PID #732 and had found factual errors (property was actually 3.25 acres and not 3.75 acres) which had resulted in the \$42,900 assessment. The Commissioner's Office had made corrections and reported the assessment had been lowered to \$31,500. The Bowerys indicated they were in agreement with this figure and no action was taken by the Board.

HARWOOD, Charles D., PID #3090 – Mr. Harwood did not appear for his 3:00 p.m. appointment. The Board deferred action to allow Mr. Harwood an opportunity to contact the Board prior to rendering a decision. (Mr. Harwood did not contact the Board and a decision was rendered on his case on Thursday, June 16th. Please see those minutes for a final determination.)

HARWOOD, Charles D., PID #3095 - Mr. Harwood did not appear for his 3:15 p.m. appointment. The Board deferred action to allow Mr. Harwood an opportunity to contact the Board prior to rendering a decision. (Mr. Harwood did not contact the Board and a decision was rendered on his case on Thursday, June 16th. Please see those minutes for a final determination.)

RICHARDSON, Archie and Barbara, PID #1997 – The Richardsons presented information supporting their appeal. They indicated the original reassessment had been \$301,400 which had been an increase of more than \$86,000. They had appealed to the Commissioner of Revenue who had lowered the assessment by \$40,000 resulting in the \$261,400 assessment. They reported the property did not perk, required an above ground septic system and was not a waterfront lot. Mr. Wallace indicated he did not think the alternative septic system affected the value of the property. Ms. McLaughlin reported the increase in value had been due to market increases and factual errors. She noted square footage had been incorrect, i.e. a room above the garage which was a finished room had not previously been reported. Mr. Starr noted some of the increase had been the result of errors that had existed for a number of years and pointed out that it was the owner's responsibility to report errors to the Commissioner's Office. Mr. Richardson indicated he was not sure of the square footage and suggested he could bring the building plans in for review. The Board delayed action to allow the Richardsons an opportunity to produce plans indicating the square footage. (A decision was rendered on his case on Thursday, June 16th. Please see those minutes for a final determination.)

HUGHLETT, Charles W. and Nikki D., PID #109776 – The Hughletts presented information supporting their appeal. The Hughletts indicated they had been considering refinancing their property and the appraisal conducted in support of that transaction had indicated the property was valued considerably lower than the County assessment. The County assessment had been \$266,600 and the appraisal had indicated the value was \$248,000. Mr. Wallace thanked the Hughletts for providing an appraisal and indicated it made it easier for the Board to make an accurate determination. The Hughletts also noted the value of their land was approximately \$6,000 more than the lots of surrounding neighbors. Ms. McLaughlin suggested the difference in land value was because the Hughlett property was on a cul-de-sac which was considered more desirable. She noted agreement with the comparables supplied by the Hughletts and pointed out the Hughletts had not appealed to the Commissioner of Revenue for an adjustment. She suggested this could have been addressed at that level had they been contacted. Upon a motion made by Ms. Pearson and seconded by Mr. Chandler, the Board voted to change the assessment to \$250,000 with a value of \$60,000 given to the land and \$190,000 given to the improvements, by a vote of 5:0.

BROWN, Edmund H. IV, PID #108767 – Mr. Brown presented information supporting his appeal. He indicated his home was in a community where the homes were almost exactly the same and noted the comparables supplied were the same home as his. He noted values of the comparables had gone up a small percentage and his had increased about 15% (over \$45,000) which he felt showed a lack of uniformity. Mr. Brown had appealed to the Commissioner's Office and his assessment had been dropped from \$280,000 to \$269,000. He noted many of the comparables had interior upgrades which his home did not, i.e. hardwood floors, granite counter tops. Ms. McLaughlin suggested there had been a grading error with Mr. Brown's property which had been graded a "C-". She suggested no properties in this community should have been graded a "C-" and suggested a "C+" was a more accurate grade. The grading on Mr. Brown's property had been corrected which had resulted in a significant increase in the value. Ms. McLaughlin also noted the percentage of change did not equate to a lack of uniformity. Mr. Starr asked how much a grade change impacted the value of the property. Ms. McLaughlin noted the amount of change would vary from property to property and she could not say how a grade change would impact the Brown property without running the numbers. She pointed out the grade was based on exterior building information and there was often little or no information available on interior upgrades. She asked Mr. Brown for additional information on the interior of his home, i.e. what were the main two floorings in his home. He indicated the main two floorings were carpet and vinyl. Ms. McLaughlin indicated an adjustment could be made for this. Mr. Starr suggested this sounded like a factual error which once corrected could bring the value back down to what Mr. Brown was expecting. Mr. Brown suggested his home should be graded a "C-". Ms. McLaughlin indicated she would adjust the grade down to a "C" and then bring the results back to the Board for a decision. (A decision was rendered on his case on Tuesday, June 14th. Please see those minutes for a final determination.)

LENTHALL, Allison E., PID #111351 – Ms. Lenthall presented information supporting her appeal. She suggested she was one of only a few individuals appealing to the Board

for an increase in assessment. She noted she had looked hard for comparables but had not been able to find any. She pointed out her property was in a private neighborhood with a paved road and covenants and was close to I-64, all of which she felt increased the value. She reported initially receiving a February 8, 2016 reassessment notice from the Commissioner's Office indicating a value of \$135,300. This was followed by a March 21, 2016 reassessment notice indicating a value of \$75,800. She indicated she would like the value to be returned to the February 8, 2016 value of \$135,300. Mr. Wallace pointed out the Board could not give the property a value that could not be substantiated; the value needed to be accurate. Mr. Caldwell indicated the Commissioner's Office had not been able to find any comparables to substantiate a \$135,300 value. Ms. Ecimovic noted Lee's Reach (the community in which the Lenthall property was located) was a very unique community and there were no other properties in the community which were not waterfront that were comparable in size to the Lenthall property. Ms. Lenthall shared more information regarding the property in an effort to find something that would increase its value. She noted a septic system and drain field were in place in preparation for a home to be built. She did however, indicate she currently had no plans to build. Mr. Caldwell suggested that partial improvements could either help or hurt the value of a property. Ms. Pearson suggested that in her opinion the presence of the septic system suggested the property was worth more but the question was how much more. Mr. Starr suggested the cost of a septic system was approximately \$10,000. Upon a motion made by Mr. Chandler and seconded by Ms. Pearson, the Board voted to change the assessment to \$87,200 with a value of \$75,800 given to the land and \$11,400 given to the improvements (septic system), by a vote of 4:0:1 with Mr. Jones abstaining.

OTHER BUSINESS: Chairman Starr stated that there were no other appeals to be heard and considered on today's agenda. The Board would be meeting again at 2:00 p.m. on Tuesday, June 14, 2016 to hear additional appeals.

ADJOURNMENT: On a motion made by Mr. Chandler and seconded by Mr. Jones, the meeting was adjourned at 5:32 p.m.

William Wallace	Aye
Mathew Starr	Aye
Amy Pearson	Aye
William B. Chandler	Aye
E. Baird Jones	Aye

Approved by email

Mathew Starr, Chairman

Date Finalized: 8/30/16