

Minutes

May 22, 2008

The scheduled meeting of the Cleveland County Equalization Board was called to order this 22nd day of May, 2008, in the conference room of the Cleveland County Office Building by Chairman Waldo Blanton. Tammy Howard, County Clerk/Secretary, called roll and those present were:

Waldo Blanton, Chairman
Charles Thompson, Vice-Chairman
Pat Ross, Member
Tammy Howard, Secretary

Others present: Denise Heavner, County Assessor and David Batton, Assistant District Attorney, BJ Ragland, David Tinsley, William H. Mattoon, Jess Hicks, Margarett Hunter-Baze, Richard Baze, Glen Hacker and Catherine Killgore.

After the reading of the minutes of the meeting of May 6, 2008, and there being no additions or corrections, Waldo Blanton moved that the minutes be approved. Charles Thompson seconded the motion.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.
Motion carried.

Chairman Blanton called for item #a - Margarett Hunter, 1204 S.W. 97th, Oklahoma City, OK 73139 for Lot 8, Block 17, Skyranch.

Margarett Hunter-Baze and Richard Baze addressed the Board. Mr. Baze stated they purchased the property from HUD and the house was in disrepair. Mr. Baze also stated they felt the comparisons are not correct and the Assessor's Office did not pull properties in their neighborhood. Mr. Baze added the valuation had gone up in two-years from \$93,600.00 to \$143,000.00. Both Mr. and Mrs. Baze asked the Board to take in consideration the condition the house, even after some of the repairs they have done. Mr. Baze presented the Board with a comparative market analysis.

Chairman Blanton asked to hear from the Assessor's Office at this time.

BJ Ragland replied the Assessor's Office did send appraisers to look at the property. Ms. Ragland explained to the Board how the Assessor's Office arrived at the comparative analysis. The Assessor's Office did re-adjust the value down from \$143,000.00 to \$128,315.00, which Ms. Ragland felt was more in line with what their value should have been set at. Ms. Ragland also submitted pictures of the home to the Board.

Charles Thompson moved, seconded by Pat Ross, to change to \$100,000.00.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.
Motion carried.

Chairman Blanton called for item #b - Hacker Family Trust, 8801 S. Olie, Bldg. 4, Oklahoma City, OK 73139 for E/2 E/4 SE/4 SW/4 7-6-1E.

Glen Hacker addressed the Board explaining his home belonged to his mother and father before they passed away. The home has been in the family for 20 years. When Mr. Hacker's parents bought the home they noticed in the first two or three years foundation cracks and problems. Mr. Hacker and his father tried to set piers under the foundation hoping that would fix the problem, but did not. A couple of years later they hired a professional power lift company to set piers around the home and that did not work either. Mr. Hacker stated the reason he was here today was the assessment for the prior year went from \$45,000.00 to \$75,000.00 and he is questioning the marketability of the home. Mr. Hacker went on to say he felt the comparisons were probably good, it is the homes they are comparing to have good foundations and his home does not have a good foundation. Within the last 60-days, Mr. Hacker had two different people to look at the foundation problems and try to get quotes from them. One company out of Moore refused to give him a quote, because they could not guarantee the work. Another company gave him a quote of \$6,000.00 to \$7,000.00 and cannot guarantee that would fix the foundation problems. Mr. Hacker presented to the Board the quote and a drawing of the house floor plan with an x where all the cracks are located. Charles Thompson asked if Mr. Hacker had any pictures of the home or foundation? Mr. Hacker replied no, but the Assessor's Office has looked the property over and can verify there are cracks in the foundation. Mr. Hacker went on to say it is the marketability of this home and he has a home he cannot sell. Mr. Hacker also stated the 5-acres, 20 x 30 shop building is worth something but the home is not worth much and he has done no upgrades to the home. Mr. Hacker said the only thing he knew to do with the home is tear it down and start over.

Charles Thompson asked if the home was occupied right now?

Mr. Hacker replied yes, his son stays there quite frequently to help watch the place.

Chairman Blanton asked for the Assessor's Office to address the Board at this time.

BJ Ragland replied the Assessor's Office had raised the value from \$45,000.00 to \$75,777.00. The Assessor's Office did go back out and look at the property again and lowered the value to \$73,335.00 making the taxable value \$47,719.00. Ms. Ragland then asked Mr. Hacker about how many piers it would take to repair the foundation?

Mr. Hacker replied he believed it was six or eight piers.

Charles Thompson stated the quote says \$6,000.00 to \$7,000.00 to repair.

Mr. Hacker replied right and that is with no guarantee. Mr. Hacker also stated the person that built the house lives next door and he has apologized for the foundation problems. He also stated the reason behind it is he did not pack the dirt work enough before the foundation was laid.

Waldo Blanton asked how old the house was?

Mr. Hacker replied 25 – 30 years old.

Ms. Ragland presented to the Board a picture of the outside of the house, but it does not show the foundation problems. Ms. Ragland also said she believed the house was built in 1979.

Mr. Hacker agreed he thought that was correct.

Ms. Ragland stated if you took off the \$7,000.00 from the \$73,335.00 that would bring the value to \$66,335.00.

Charles Thompson replied he could go for that.

Mr. Hacker stated the \$7,000.00 was wasted money since it is not guaranteed to fix the problem.

Waldo Blanton replied that is not wasted money but understood he would like to have it guaranteed so the company would come back.

Charles Thompson added that is not guaranteed that it won't work either.

Mr. Hacker repeated again that the house was not marketable and the comparisons were being done with homes that have good foundations.

Waldo Blanton moved, seconded by Charles Thompson, to change to \$66,000.00.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Chairman Blanton called for the discussion, consideration, and/or action on the following Letter of Protest:

Waldo Blanton moved, seconded by Pat Ross, to strike item #a - Justin & Barbara Cervi, 770 W. Rock Creek Road #103, Norman, OK 73069 for Lot 1, Block 1, Meadowlake 4 and item #b - Justin & Barbara Cervi, 770 W. Rock Creek Road #103, Norman, OK 73069 for Lot 2, Block 1, Meadowlake 4.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Chairman Blanton called for item #c - Jess Hicks, 3912 Dogwood Drive, Norman, OK 73026 Part of Lot 1, Block 14, Fox Fire 4.

Mr. Jess Hicks addressed the Board stating he had a small office building on 12th street located in Moore that he purchased in a Sheriff's Auction about 15 years ago. Mr. Hicks informed the Board he was an All-State Insurance Agent. His office is located in the office building located next to the land in question and the bank had called him to ask him not to send his payments to the person he had been paying. That person had defaulted on their loan, according to the bank. The bank asked him to send all payments to the bank. Mr. Hicks stated to make a long story short he ended up buying the building, because the bank wanted to do business with Mr. Hicks instead of the person that defaulted. When the former owner had mortgage the place; they owned the land around it. The building is located on 12th street with 3-acres of land behind it that is vacate. The former owner had mortgage from the edge of the building line.

Charles Thompson asked where is this property located?

Mr. Hicks responded 503 N.E. 12th street in Moore; it is the Foxfire Office Building. Mr. Hicks also added the former owner had mortgage from the property line of the building or the building line and the rest of the property he did not mortgage, so the building hung over 4-feet on his land that was not in this proceeding. Mr. Hicks also said half of his driveway and his parking area was not in the land the previous owner had mortgage. Mr. Hicks stated for 15-years he was worried someone was going to tell him he could not use the parking lot, your on my land and that was a problem for Mr. Hicks.

Waldo Blanton asked if the adverse possession statue had caught up?

Mr. Hicks replied he did not know about that. Mr. Hicks also stated he had a chance to buy the land; all he needed was 40 feet between him and the previous owner, but he had to buy all of it just to get the 40 feet. Mr. Hicks said he bought the land and the taxes on it are more than the taxes on his building.

Waldo Blanton asked if this protest was for the land or building?

Mr. Hicks replied it was for the land only and added he felt it was over taxed. Mr. Hicks again repeated he had to purchase all the land for the business.

Charles Thompson asked if the \$163,000.00 was for all of it?

Mr. Hicks answered no, that was just for the land.

Waldo Blanton asked how much land were they talking about?

Mr. Hicks replied approximately 3-acres.

David Tinsley stated it was 3.3 acres of land.

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Charles Thompson asked Mr. Hicks what he paid for the land?

Mr. Hicks replied he paid \$160,000.00 and his neighbor had loaned him the money. Mr. Hicks went on to say what he had was a mortgage on the land and a mortgage on the building. The mortgages are with two different people and he cannot combine them or he would do that.

Charles Thompson stated when someone pays a price for something then that constitutes a sale, which then tells you the value. Mr. Thompson also said if you paid \$160,000.00, but it appraised at \$163,000.00 that shows you paid under.

Mr. Hicks replied he did pay the \$160,000.00 just to get the 40-feet and the land behind the building he does not need. Mr. Hicks stated he would give it away if he could and that is where he is at on this.

Waldo Blanton asked the Assessor's Office to address the Board at this time.

David Tinsley stated he had talked to Mr. Hicks to try and work this out. The Assessor's Office had priced the land at \$1.10 per square foot. Mr. Tinsley addressed the Board on how they came up with the price and the other comparison properties were hard to find.

Miscellaneous discussion took place.

Charles Thompson moved, seconded by Waldo Blanton, to change to \$120,000.00.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Chairman Blanton called for item #d - The Huntington Investment Corporation, 225 N. Peters Avenue, Ste. #3, Norman, OK 73069 for Lots 4 – 7, Block 5, State University 1.

Mr. William Mattoon addressed the Board. Mr. Mattoon said the property he is protesting is located at 633 S. Jenkins and backs up to the railroad tracks. Mr. Mattoon went on to say he did have an informal review and the Assessor's Office did a token reduction. Mr. Mattoon lost his paperwork and did not have the exact numbers. Mr. Mattoon stated he took all of the properties on the block he is in and that backed up to the railroad tracks, got information from the Assessor's website and passed out to the Board a schedule on the tracts of land. Mr. Mattoon stated in this schedule he used the market value so there would be some consistency in figuring the prices for the square footing. Mr. Mattoon went on to explain his property was built in 1940 and was almost \$90.00 per square foot, which is the highest one and the lowest property square footing price is \$44.78. All this property listed on the schedule is rental property, some tenants are students and some are workers. There is only one owner occupied house and that address is 627 S. Jenkins, also it priced out at \$80.00 per square foot. Mr. Mattoon went on to say there was one property across the street, 624-626 S. Jenkins is brick and priced at \$58.75 per square foot. Mr. Mattoon then presented the board with pictures of his property. He stated you could see it is kind of a rough neighborhood and is all rental property. Mr. Mattoon stated he supposed their property was probably in better repair than most. They try to provide decent low-income housing.

Charles Thompson asked how many living units are there?

Mr. Mattoon answered there are four units.

Waldo Blanton asked if they were separate units?

Mr. Mattoon replied no, they are not separate, there is an up and down duplex, two cottages and then a larger home. Mr. Mattoon went on to say the larger home has been remodeled and the other properties have had some cosmetic work done. Mr. Mattoon went on describing the different things that had been done to the units. Mr. Mattoon stated he did not see any reason as to why his properties should be a stand out on the street. Mr. Mattoon described to the Board the condition of the other properties located on the street.

Waldo Blanton called for the Assessor's Office to address the Board at this time.

BJ Ragland stated the campus is a very unique area on appraising. There is such diversity in the properties. Ms. Ragland stated there were four separate buildings on one tract of land.

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Ms. Ragland also presented to the Board pictures of the properties. Ms. Ragland said the total of square footage of all the buildings is 3,650 square feet making it \$77.94 per square foot. Ms. Ragland also wanted to let the Board know this property is capped. Ms. Ragland informed the Board how they arrived at the figures for the appraisal.

Charles Thompson asked Mr. Mattoon if he was Huntington Investments?

Mr. Mattoon replied yes.

Miscellaneous discussion took place.

Charles Thompson moved, seconded by Waldo Blanton, to change to \$275,000.00.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Waldo Blanton moved, seconded by Charles Thompson, to table item #e - David & Sue Huettner, 1807 Valley Ridge Road, Norman, OK 73072 Lot 10, Block 2, Brookhaven 4.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Waldo Blanton called for item #2 - discussion, consideration, and/or action regarding the request of Catherine Killgore pursuant to her May 1, 2008 correspondence.

Waldo Blanton asked the Assessor to explain the additional homestead exemption to the Board.

Denise Heavner stated the statues allow for additional homestead if your income is \$20,000.00 or less. Ms. Heavner said there is also a senior freeze on your valuations.

Catherine Killgore addressed the Board at this time. Ms. Killgore stated her complaint was the additional homestead exemption goes by the gross income and not the net income. Ms. Killgore stated she runs a family counseling business from her home and does not make much money. The additional homestead would give Ms. Killgore \$100.00 per month break.

Waldo Blanton called for the Assessor's Office to address the Board at this time.

Ms. Heavner stated the statues lay out the guidelines for the additional homestead exemption, under those guidelines Ms. Killgore does not qualify.

Miscellaneous discussion took place.

Waldo Blanton moved, seconded by Charles Thompson, to leave unchanged.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

Waldo Blanton called for the discussion, consideration, and/or action to regarding the Homestead Exemption Applications.

Waldo Blanton moved, seconded by Charles Thompson, to approve all the applications that have been approved by the Assessor.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

There being no further business to come before the Board, Chairman Blanton moved that the meeting be adjourned. Pat Ross seconded the motion.

The vote was: Waldo Blanton, yes; Charles Thompson, yes; Pat Ross, yes.

Motion carried.

(Clerk's Note: Agenda was posted on 5-16-08 @ 1:46 p.m.)