



EQUALIZATION BOARD OF CLEVELAND COUNTY

MINUTES

JUNE 28, 2018

The scheduled **special** meeting of the Cleveland County Equalization Board was called to order this 28th day of June 2018 at 10:00 a.m., in the conference room of the Cleveland County Office Building by Chairman Larry Heikkila. Tammy Belinson, County Clerk/Secretary, called roll and those present were:

Larry Heikkila, Chairman
Waldo Blanton, Vice-Chairman
Charles Thompson, Member
Tammy Belinson, Secretary

Others present were: Assistant District Attorney Heather Darby, Linda Atkins, Travis Mauldin, Ben Hunley, Angie Mead, Douglas Warr, Russell Chronister and Mike Weddle.

After the reading of the minutes of the **Special Meeting of May 31, 2018**, and there being no additions or corrections, Waldo Blanton moved, seconded by Charles Thompson, that the minutes be approved.

The vote was: Larry Heikkila, yes; Charles Thompson, yes; Waldo Blanton, yes.
Motion carried.

A. Items of Business:

1. Chairman Heikkila called for **discussion, consideration, and/or action** on the following Letters of Protest:
 - a. Discussion was had that the Board only received a one page Formal Protest with no other information included for DCP Midstream, 370 17th Street, Suite 2500, Denver, CO 80202, Property Tax, 370 17th Street Suite 2500, Account Number: All personal property accounts in Cleveland County, OK.
Ben Hunley stated that he is here to represent the County in this matter.
Douglas Warr said that by statute they can either appear in person or by telephone, as well as send in an affidavit of what they think the value is, they have not done so for today. He said they have lawsuits across Oklahoma.
(Affidavits signed by all concerned on each protest by the County Clerk and made part of these minutes.)

Ben Hunley, with Total Assessment Solutions, gave everyone a handout. He said court cases are ongoing throughout the State.

He said that in other counties they have an affidavit that they have sent in as a matter of record, but there is not one before the Board today. A synopsis on that affidavit from what he has heard is that they still suffer from the downturn in the industry and their volumes are down due to pricing and downturn in the market impacting the revenues. Grand total of fair market value \$7,654,555, is what they are asking the Board to affirm today, the reason is the operating sales have increased 116% from 2015 to 2017 are doing quite well.

Douglas Warr said that Mr. Hunley did a great presentation and they represent counties all over the State and keep up an unbelievable database.

Mr. Hunley said DCP Mainstream's assessment is fair and equal in this county and in the State.

Charles Thompson moved, seconded by Waldo Blanton, to **accept** Mr. Hunley's report affirming fair market value of \$7,654,555.00.

The vote was: Larry Heikkila, yes; Waldo Blanton, yes; Charles Thompson, yes. Motion carried.

- b. County Assessor Douglas Warr said that his office has come to an agreement as to the fair cash value of \$15,000,000 on this item and the Altus Group is withdrawing the protest; therefore, Charles Thompson moved, seconded by Larry Heikkila, to **strike** the following item from the agenda: Altus Group, Donnie Osborne, TAXPAYER/AGENT Address: PO Box 92129, Southlake, TX 76092, representing Legacy Trail Apartment LLC, 2501 Pendleton Drive, Norman, OK, #R0172831.

The vote was: Larry Heikkila, yes; Waldo Blanton, yes; Charles Thompson, yes. Motion carried.

- c. Travis B. Mauldin, Property Tax Services, Inc., TAXPAYER/AGENT Address: 1183 Joyce Blvd., Suite 2, Fayetteville, AR 72703, representing Moore 12 Street, LLC, %Walgreens, 1201 NW 12th Street, Moore, OK 73160, #R0019715, MC2. He said that this Walgreens' location is at 1201 NW 12th Street in Moore. In 2017 there transpired a sale-lease back and due to the transfer the Assessor on the first of January picked it up as a sale, where the Assessor's office did cut at the Informal Hearing to \$2,082,744. His appeal to the Board is to not think this as a sale which removed the cap on the property and reinstate the cap because it was not a valid arm's length transaction.

It is his understanding that if there is a transfer of any sort between unrelated parties the cap comes off and will understand if the Board cannot put the cap back on the property. After comparing all the drug stores in Cleveland County, market value looks good at \$2,082,744, but based upon the equity they are asking the Board to lower to \$2,009,752 and would like the cap to stay in place.

Douglas Warr said his office enjoys working with Mr. Mauldin because he provides information that they can agree with and would like to point out there is a transfer of title meaning there was a change of ownership on that property canceling a cap. If it was a transaction between family members and sold to a child the cap would not come off.

Charles Thompson moved, seconded by Waldo Blanton, to adjust the value by **lowering** it to \$2,046,248.00.

The vote was: Larry Heikkila, yes; Waldo Blanton, yes; Charles Thompson, yes.
Motion carried.

- d. Addressing the Board is Travis B. Mauldin, Property Tax Services, Inc., TAXPAYER/AGENT Address: 1183 Joyce Blvd., Suite 2, Fayetteville, AR 72703, representing (CVS Pharmacy) PVP Bluffton LLC et al, 3651 W Robinson Street, Norman, OK 73072, #R0128537, NC29.

He said that there was a sale in 2017 it was \$7 to \$8 million, a big transfer the County Assessor did work with the taxpayer and reduced the value to \$3,734,688 at the Informal Hearing due to a sale lease back. The ownership would like the cap be reinstated. The property constructed in 2003 is 14,800 square feet, but is still comparable with other drugstores in Norman. He is asking that the Board bring the \$252.34 sq. ft., in-line with other drugstores. CVS is asking for a value of \$2,162,280 based on the cost approach and the income calculation.

Deputy Assessor Russell Chronister said current sales and the Brookhaven property site support the evaluation.

Douglas Warr said this is high traffic area in all of Cleveland County and their annual income totals \$454,000.00 per year.

Charles Thompson said the Assessor is extremely fair in his assessment.

Douglas Warr said, "That is our goal."

Charles Thompson moved **no change** in the assessed value of \$3,734,688.00.

Waldo Blanton seconded the motion.

The vote was: Larry Heikkila, yes; Waldo Blanton, yes; Charles Thompson, yes.
Motion carried.

- e. The Board **received** notification that Gabe Wahlberg, Supervisor, emailed on June 26, 2018 asking to **reschedule** the Formal Hearing to July 11, 2018 for the following: Pivotal Tax Solutions (Christopher Glidewell, Logan Smith, Wayne Tannenbaum), 202 N. Lindsay Road, Suite 201, Mesa, AZ 85213.

(Clerk's Note: Second Chance to APPEAR for Protest.)

- 1) BMW Investments LLC, 1049 12th Avenue NE, Norman, OK 73071, #R0159491;
- 2) Cheatham Properties, LLC, 840 Ed Noble Parkway, Norman, OK 73072, #R0096400; and
- 3) Stacey Family Property Holdings, LLC, 2501 South I-35 Service Road, Moore, OK 73160, #R0126304.

No action taken at this time by the Board.

- B. No new business came before the Board for discussion.
- C. There were no Board Members discussions about County Business.
- D. No public comments were made.
- E. There being no further business to come before the Board, Waldo Blanton moved that the meeting be adjourned at 10:35 am. The motion was seconded by Larry Heikkila.
The vote was: Larry Heikkila, yes; Waldo Blanton, yes; Charles Thompson, yes.
Motion carried.

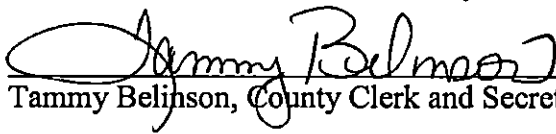
(Clerk's Note: Agenda was posted on June 25, 2018 at 3:35 pm.)

**CLEVELAND COUNTY EQUALIZATION BOARD
CLEVELAND COUNTY, OKLAHOMA**



Larry Heikkila, Chairman

ATTEST:



Tammy Belinson, County Clerk and Secretary to the Board

Minutes Prepared by:


Deputy County Clerk