

**Minutes of the Grand Forks City Council/Board of Equalization**  
**Monday, May 6, 2019- 5:30 p.m.**

The city council of the city of Grand Forks, ND was called to meet as the Board of Equalization in the council chambers on Monday, May 6, 2019 at 5:30 p.m. with Mayor Brown presiding. Present at roll call were Council Members Weigel, Dachtler (by phone), Weber, Mock, Marshall, Sande, Vein – 7; absent: None.

**CONSIDERATION OF RECOMMENDATIONS ON PROTESTS  
RECEIVED BY ASSESSING DEPARTMENT**

The appeal of 2019 assessor's value on the following properties was presented to the Board of Equalization. Mayor Brown opened these items for discussion.

- a) Christopher T. & Mia Boe, 687 Vineyard Dr.

Christopher Boe, property owner, addressed the board and commented regarding his protest that the value increase for his home was not justified, referencing information that he provided to the assessing department for review which he believes backs up his opinion, and requested that the recommended value be reduced back to the 2018 value.

Tami Lazur, Deputy City Assessor, reviewed a description of the property and protest information with the board including comparative information that the assessing department had that the property was reappraised this year, which resulted in the increase in value. In response to questions from the board, Lazur provided information on the reappraisal process, the property was inspected, and information on similar properties was gathered. Staff believes that the property has been undervalued in prior years, which came to light now when the revaluation of this area was completed. She noted that the per square foot valuation amount is consistent and falls in the range with other similar properties. In reviewing comparable sales, some sited by the property owner were older and some on the list were for properties that would not be considered comparable because they were smaller square footage properties or in one instance a one story versus multi-story home. This area had not been reappraised for several years and was done at the request of some other property owners that felt their valuation was not properly listed.

Council Member Weigel asked whether since this property may have been undervalued in the past if there was a way to negotiate a value or phase it to ease the increased burden. Howard Swanson, City Attorney, explained that State law does not allow for the negotiation of values, that all values must be set by the assessor, and the board of equalization looks at those values to ensure that they are set in a fair and equitable manner based on the requirements of law.

The board further discussed some of the factors looked at in the valuation process, including size and that quality of improvements in a property can make value different between properties that may seem similar at first look.

**It was moved by Council Member Sande and seconded by Council Member Weber to deny the request and uphold the true and full value as set by the city assessor's office. Motion carried 6-1, with Council Member Weigel dissenting.**

- b) STERLING PROPERTIES LLLP, DBA Oakview Townhomes, multiple addresses.  
c) STERLING PROPERTIES LLLP, DBA Amberwood Court, 2520&2600 9<sup>th</sup> Ave S&824 S 25<sup>th</sup> St  
d) STERLING PROPERTIES LLLP, DBA Cherry Creek, 905 32<sup>nd</sup> Ave S  
e) STERLING PROPERTIES LLP, DBA Chandler 1866 Apartment, 1866 S 20<sup>th</sup> St

- f) STERLING PROPERTIES LLLP, DBA Mayfair Apartment, 1711 22<sup>nd</sup> Ave S
- g) STERLING PROPERTIES LLLP, DBA Southview Apartment, 2249 30<sup>th</sup> Ave S
- h) STERLING PROPERTIES LLLP, DBA Stanford Court, 3514, 3532, 3538 11<sup>th</sup> Ave N
- i) STERLING PROPERTIES LLLP, DBA Sunview Apartments, 2701 S 26<sup>th</sup> St & 2700 S 25<sup>th</sup> St
- j) STERLING PROPERTIES LLLP, DBA Valley Homes Dup., multiple addresses

Lazur stated that Sterling Properties is appealing value on nine apartment complexes, of which several have been purchase by Sterling within the last 5 years. She explained that apartment complexes throughout the city have been reviewed and appraised within the year and that there are several methods used in their market-based approach including the cost, sale and comparison approach and the income approach. Sterling has provided income and expense information to staff as part of the review, however the information did not provide a basis for changing the valuation. The values proposed by the property owner are not based on a market based valuation, but rather are arbitrary values.

Lazur stated that staff does recommend a change in the property listed as item b) Oakview Townhomes, as in the initial valuation an extra garage was included in the valuation. Staff recommends lowering the valuation for this complex from \$4,887,800 to \$4,876,500.

Lazur stated that for all other properties staff recommends the Board of Equalization uphold the true and full value for 2019 tax year.

**It was moved by Council Member Marshall, seconded by Council Member Vein, to reduce the valuation for Oakview Townhomes to \$4,876,500, and to uphold the true and full value for the other eight properties owned by Sterling Properties, LLLP. Motion carried unanimously.**

- k) COLE KO GRAND FORKS ND, LLC, DBA Kohl's, 3301 32<sup>nd</sup> Ave S

Houdek reviewed information submitted by the property owner for reduction of the value on the property. He stated that the value set by the assessing office for the property as for other similar properties and value is supported by both the cost and income approach.

**It was moved by Council Member Weber, and seconded by Council Member Vein, to uphold the assessor's true and full value for 2019. Motion carried unanimously.**

- l) FURN USA ND, LLC, DBA Ashley Furniture (*withdrawn*), 3201 32<sup>nd</sup> Ave S,
- m) 818 Cedar Burls Dr., Steven Argall, parcel #1378.034.000 (*withdrawn*)

Items l and m have been withdrawn and do not require action.

### **CERTIFY ASSESSMENTS TO COUNTY AUDITOR**

Mr. Houdek reported that the annual assessments for 2019 with total true and full value for the city of Grand Forks, including all agricultural, residential and commercial properties, would be \$4,852,945,800.00.

**It was moved by Council Member Weber and seconded by Council Member Sande that the tax rolls as presented by the city assessor and equalized by the Board of Equalization are certified to the County Auditor, Grand Forks County, North Dakota.**

**Upon call for the question and upon roll call vote, the following voted “aye”: Council Members Weigel, Dachtler, Weber, Mock, Marshall, Sande, Vein – 7; voting “nay”: none. Mayor Brown declared the motion carried and the assessments certified.**

### **ANNUAL REPORT**

The annual report from the city assessor was presented to the Board for their information.

### **ADJOURN**

It was moved by Council Member Sande and seconded by Council Member Marshall that we adjourn at 6:00.p.m. Motion carried 7 votes unanimously.

Respectfully submitted,

Maureen Storstad  
City Auditor