

**ASSESSMENT APPEALS BOARD MINUTES
COUNTY OF SAN LUIS OBISPO
STATE OF CALIFORNIA**

Friday, March 17, 2006

The Assessment Appeal Board of the County of San Luis Obispo, State of California, met in regular session at 9:00 o'clock A.M., in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California.

PRESENT: Appeals Board Members Mr. Tom Baron, Mr. Lynn Cooper, Alternate and Chairperson Kem Weber

ABSENT: Appeals Board Member Ms. Janele Buttery

Mr. Wyatt Cash, Deputy County Counsel, is present and represents the Assessment Appeals Board.

Mr. Tom Bordonaro, Assessor, is present.

- (1) This is the time set for members of the public wishing to address the Board on items not set on the Agenda.

Chairperson Weber: opens the floor to the public without response.

- (2) **Application Nos. 2005-42 and 2005-50, Longs Drug Store CA, Inc.,** are presented.

The Applicant is not present.

Thereafter, on motion of Mr. Baron, seconded by Mr. Cooper and unanimously carried, the Board denies Application Nos. 2005-42 and 2005-50, Longs Drug Store CA, Inc. for non-appearance.

- (3) **Minutes for the December 9, 2005 and January 13, 2006 Assessment Appeals Board Hearing,** are presented.

Thereafter, on motion of Mr. Baron, seconded by Mr. Cooper, with Ms. Buttery being absent, motion carries and the minutes for the December 9, 2005 and January 13, 2006 Appeals Board Hearing are approved as presented and the Chairperson is instructed to sign the same.

- (4) This is the time set for consideration of denial of incomplete applications for Application Nos. 2005-11 - A.J. Wright; 2004-110, Terra Linda Ranchos South; 2005-13, Mitchell Culver; 2005-76, Anthony Cmelak; and P-2005-1, Mariama Hadiah.

Clerk: outlines the requests for information sent to the applicants without response; recommends the Board deny the applications for non-completion.

Thereafter, on motion of Mr. Cooper, seconded by Mr. Baron and unanimously carried, the Board denies Application Nos. 2005-11 - A.J. Wright; 2004-110, Terra Linda Ranchos South; 2005-13, Mitchell Culver; 2005-76, Anthony Cmelak; and P-2005-1, Mariama Hadiah for non-completion.

- (5) **This is the time set for consideration of continuing education for Assessment Appeals Board members.**

Clerk: outlines the reason for this item indicating it is a result of a Small Claims action filed by Mr. Joe Kelly; speaks to the lack of State Board of Equalization (SBE) courses available to Assessment Appeals Board members; indicates the budget doesn't include money for classes and suggests if a class becomes available an option for funding may be the Board of Supervisors Community Projects Funds.

Mr. Bordonaro: agrees there is a lack of courses available for Assessment Appeals Board members.

Mr. Joe Kelly: outlines his reasons for the Board's need for continuing education; expresses his belief that Board members are making up their own rules and not following State law; speaks to the Board failing to allow evidence to be submitted during his appeal; suggests the Board has violated property owner's rights; requests the Board forward to the Board of Supervisors a request for implementation of a continuing education program for Assessment Appeals Board members with special emphasis on the legal aspect of assessment appeals; requests the resignation of Mr. Baron and Mr. Weber from the Board today; requests notification when this request is set for discussion by the Board of Supervisors; expresses his willingness to help implement the program any way he can.

Mr. Bordonaro: states, in the future, he will bring the same presentation he makes to staff regarding law changes to the Board.

Mr. Weber: questions if other counties have continuing education for their members or if there are State Statute requiring continuing education; outlines his continuing education requirements as an Appraiser; states if the State or Board of Supervisors felt the need for continuing education for Appeal Board members they would have passed legislation doing so.

Clerk: states she will make sure to get any information on classes or pertinent information from the SBE to Board members; states she will contact SBE & the Clerk's Association regarding potential legislation regarding this matter.

Mr. Baron: questions if the Board is in violation of the law when they advise Appellant's that the Board will not give much value to an appraisal when the appraiser is not present and asks Mr. Cash if the Board can continue with this practice.

Mr. Cash: states the Board will have to continue to exercise this approach on a case by case basis.

Mr. Bordonaro: agrees with Mr. Cash's statement and reminds the Board that an appraisal is not required in order to appeal value; states he will post the question of how other counties address continuing education for Assessment Appeals Board members on the Assessor's Bulletin Board.

Mr. Kelly: state he would like any information presented to the Board regarding this matter be forwarded to him; that he be notified when this matter goes before the Board of Supervisor and requests a copy of the tape for today's meeting. The Board directs Mr. Cash to present, at the next meeting, information as to what the law says regarding the Appraiser being present when an appraisal is presented by an applicant and what the Board's discretion is with accepting the appraisal/document. **No action taken.**

(6) This is the time set for Board members, Assessor and/or Staff to bring up items to be discussed at the next meeting.

Chairperson Weber: calls for comments without response.

On motion duly made and unanimously carried, the Assessment Appeals Board of the County of San Luis Obispo, State of California, does now adjourn.

Chairperson

ATTEST:

JULIE L. RODEWALD, County Clerk-Recorder
and Ex-Officio Clerk of the Assessment Appeals Board

By:
Deputy Clerk-Recorder

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