

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

Friday, February 26, 1999

The Assessment Appeal Board of the County of San Luis Obispo, State of California, met in regular adjourned 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. Harry Yasumoto, Mr. Tom Neve, Alternate, and
Chairperson Tom Baron

ABSENT: Appeals Board Member Mr. Kem Weber

Mr. Ed Olpin, Deputy County Counsel, is present and represents the Assessment Appeals Board.

Ms. Linda Trahey, Ms. Charron Sparks, and Mr. Bruce Douglas, Deputy Assessors, are present and sworn.

Chairperson Baron calls the meeting to order, Mr. Kem Weber is present as a member of the public, and describes the Board's past practice regarding a conflict by a Board member, by either the applicant or Assessor. Chairperson Baron states that Mr. Weber has indicated he has checked with the FPPC and they have advised Mr. Weber there is no conflict. Mr. Joe Kelly, requests to speak and states that objections to a Board member(s) hearing an appeal have to present it in writing within 10 days of the hearing, a third party Board member should not hear this appeal and sites Revenue and Taxation Code 1624.4. Mr. Weber describes his discussion with the FPPC, his business dealings with Mr. Linnemann were more than one year ago and the FPPC indicated there was no conflict; feels it would be in the best interest of the Assessor and the Applicant that he sit for this appeal. Chairperson Baron asks Mr. Weber to step down, following the past practice of the Board.

This is the time set for members of the public wishing to address the Board on items not set on the Agenda. Chairperson Baron opens the floor to public comment without response.

Application No. 1996-77, Joe Linnemann, APN #080,063,036 and 901,000,048; is presented. Mr. Linnemann is present and sworn. Chairperson Baron asks Mr. Linnemann if he has any objections to the Board members that are seated with Mr. Linnemann indicating he does object to the Board. Ms. Vicki Shelby, Senior Board Clerk, indicates that Mr. Kelly was unable to sit today as he had an item on the agenda. Discussion regarding the Board members who should hear this case occurs, with Mr. Linnemann agreeing to have his case heard by Mr. Yasumoto, Mr. Kelly, and Mr. Baron. **Matter is fully discussed and thereafter, on motion of Mr. Neve, seconded by Mr. Yasumoto and unanimously carried, Application No. 1996-77, Linnemann, is continued to April 16, 1999 at 9:00 a.m. (Messrs. Kelly, Baron and Yasumoto will hear this appeal).**

Application No. 1998-9, West Bay Co., LLC., APN #090,431,012, is presented. The applicant is not present. **Thereafter, on motion of Mr. Yasumoto, seconded by Mr. Neve and unanimously carried, Application No. 1998-9, West Bay Co, LLC., is denied for non-appearance.**

Application No. 1998-66, John & Carol King/Capstar, APN #066,411,002, is presented. The applicant is not present. **Thereafter, on motion of Mr. Yasumoto, seconded by Mr. Neve and unanimously carried, Application No. 1998-66, King/Capstar, is denied for non-appearance.**

The Clerk presents for approval the **minutes from the January 29, 1999 hearing. Thereafter, on motion of Mr. Yasumoto, seconded by Mr. Baron, with Mr. Neve abstaining, motion carries and the minutes of the January 29, 1999 hearing date are approved as presented and the Chairperson is instructed to sign same.**

The Clerk requests the salary survey discussion be continued to March 19, 1999, with the Board members agreeing.

An overview on the status of current assessment appeals is presented. Mr. Bruce Douglas presents a handout to the Board members outlining the status of current appeals.

This is the time set for Board members, Assessor and/or Staff to bring up items to be discussed at the next meeting. Mr. Yasumoto asks Mr. Olpin to prepare a guideline for the Appeals Board regarding conflicts of interests. Mr. Neve questions the Assessor's staff regarding Y2K compliance with Mr. Douglas responding. **No action taken.**

On motion duly made and unanimously carried, the Assessment Appeals Board of the County of San Luis Obispo, State of California, does now adjourn to Friday, March 19, 1999 at 9:00 o'clock a.m. in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California.

Chairperson

ATTEST:

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

By:
Deputy Clerk-Recorder

cmc