

MINUTES OF A SPECIAL CITY COUNCIL LOCAL BOARD OF APPEAL & EQUALIZATION MEETING HELD WEDNESDAY, MAY 14, 2008 – 6:00 P.M. – ROCKVILLE CITY HALL

The meeting was called to order by Mayor Brian Herberg. Roll Call was taken and the following members were found to be present: Mayor Herberg, Council members Vern Ahles, Susan Palmer, Jim Pflapsen, Don Simon, & Randy Volkmuth. Absent: None.

Staff members present were: Administrator/Clerk Rena Weber, Randy Lahr and Gary Grossinger – Stearns County Assessors.

OATH OF OFFICE – Administrator/Clerk Rena Weber issued the oath of office to Bill Becker who was appointed to fill the position vacated by Jeff Hagen.

Mayor Herberg announced that the special meeting had been called for the purpose of Board of Review. Randy Lahr explained that property valuation has to be between 90% & 95% of what sales are and explained the sales period ended October 2007. Stearns County does their valuations based on a mass appraisal system.

76.41622.000 - Greg Seelen - 7715 245th Street - Mr. Seelen was present to ask if this is a buildable lot and secondly why the increases.

EMV \$34,100 2008

2009 \$40,000

Rena Weber explained her e-mails with Mr. Seelen and the process that he would still need a soil test to determine if it is indeed a buildable lot.

Randy Lahr and Gary Grossinger explained the increase in value.

Mr. Seelen asked if he does combine the two lots will it be reduced. It may be reduced.

Motion by Mayor Herberg, second by Member Pflapsen, to make no change to the value.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41647.400 Charles Grell - 21096 Fowler Road - Mr. Grell was present to voice concern about the property being over valued. The council indicated last year that home values were dropping and that his should drop. That has not happened. Mr. Grell presented a recent certified appraisal which shows a value of \$500,000. Mr. Grell has had the house on the market for five months with nobody looking at it. His real estate agent thinks he should be at \$490,000.

\$368,200 Land with \$334,400 for the acreage and Lake Shore valued at \$29,800

\$252,500 Bldg.

\$620,700 Total

This is a 5.89 Acre parcel and has 168' of lake frontage with an affective frontage of 180' using the 65/35 rule. Randy Lahr offered to go out and look at the house.

Mr. Grell voiced concern that market value is determined by whatever anybody will pay him for his property.

EMV \$549,000 2008

2009 \$620,700

Gary Grossinger reported that the current practice the Assessor's Office uses is to discount lots with over 100' of lake frontage by 25% and the 3rd 100 feet by another 25%. Discussion was held by the board that the 2nd 100' should be reconsidered as it may not be enough. Gary Grossinger recommended that we put the 2nd 100 feet at 50% discount instead of 25%.

Motion by Member Volkmuth, second by Member Pflapsen, to drop the value of the Shoreland by \$41,800 to \$578,900 based on the recommendation of the Stearns County Assessor.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.42170.017 - Chris Sorenson 25983 80th Ave/CR6 – Mr. Sorenson reported they put this on the market at \$469,000 with no showings, and lowered the price to \$449,000 with one showing. They are not right on the lake, but on the lagoon. Their next step is to lower the price to \$400,000.

\$279,200 \$246,900 land value with 2nd 100' feet at 50%
\$242,600 Building
 \$521,800 Total

Randy Lahr currently is not making an adjustment for the lagoon area.
 Member Volkmuth concurred that getting in and out of the lagoon is very hard to do and gets worse in the summer. Randy Lahr is to look at this parcel.

EMV \$501,900 2008 2009 \$521,800

Motion by Member Volkmuth, second by Member Pflapsen, to reduce the value of this parcel to \$489,600 therefore taking into account a credit for the lagoon.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41600.602 John Torborg - 8246 263rd Street – Mr. Torborg was present to question the value on the land. He cannot sell his property at this price in this market.

EMV \$205,000 2008 2009 \$202,900

\$165,000 to \$189,800 land value changed by \$24,800

Mr. Torborg has a water problem and the County gave him a 2% adjustment. Mr. Torborg presented pictures of his house showing the water problem and also the property.

\$29,500 – Land with no city sewer

Motion by Member Volkmuth, second by Member Palmer, to make no change to the value.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41644.500 Lawrence Dimatteo – 21526 Rausch Lake Road – Mr. Dimatteo was present to question his valuation.

EMV \$188,000 2008 2009 \$191,600

Randy Lahr reported the 28' x 38' shop went up \$3600. The Assessor's reviewed all shops this year and increased the value.

Mr. Dimatteo owns 5 acres. Mr. Dimatteo read the resolution for establishment of the JOBZ sub-zone adopted by Rocori School District. Mr. Dimatteo is protesting the valuation.

Motion by Member Volkmuth, second by Member Becker, to make no change to the value.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.4162.500 Jeff Brannan – 6979 205th Street – Mr. Brannan was not present at the meeting. No action was taken.

EMV \$19,900 2008 2009 \$28,700

76.42189.038 Everett Balko 11193 Hubert Lane – Mr. Balko was present at the meeting to voice concern that his value went up \$56,000 last year and \$42,000 this year. Ev Balko met with Randy Lahr and found that this parcel is being compared to a home on Agate Beach.

The house was built in 1951 and he spoke to a realtor who estimated the value should be \$339,900 to \$349,000.

EMV \$347,500 2008 2009 \$394,500

Motion by Member Volkmuth, second by Member Ahles, to reduce the value of this parcel to \$373,800 reflecting the 100' at 50% reduction.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41705.013 Debra Ampe 22065 Agate Beach Road – Ms Ampe was present to question the value of her property from when she purchased her property to the current value. Her feeling is that the economy is such that property is not selling for as much as it has been. She compares her property to the Josh Lavine parcel #76.42340.001. She feels the taxes are too high. It was determined that her taxes also include the sewer assessment.

EMV \$336,600 2008
 \$251,000 land
\$123,300 building
 \$374,300

2009 \$374,300

Motion by Member Volkmuth, second by Member Becker, to make no change to the value of this parcel.

AYES: Ahles, Becker, Herberg, Palmer, Pfllepsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41642.010 & 76.41642.200 Jim Massmann 7353 Ahles Road – Mr. Massmann was present to voice concern about a letter he received from Randy Lahr that informed his property fell out from Ag 40 status. Mr. Massmann purchased the 26.34 from Jodi Boldt in 2007. The acreage was not farmed for the past few years and Mr. Massmann wishes to farm again. He has re-entered it with Stearns County Soil and Water and is asking the council to extend the A-40 homestead status instead of Residential.

EMV \$83,600 & \$303,000 2008

2009 \$377,200 & \$56,600

Motion by Member Palmer, second by Member Volkmuth, to authorize the extension of AG-40 status to these parcels.

Mayor Herberg reported that the status should have been pulled by the county prior to 2007 since this was not farmed when the Boldt's owned it.

AYES: Becker & Palmer

NAYS: Ahles, Herberg, Pfllepsen, Simon & Volkmuth

Motion failed by a 5 to 2 vote.

Motion by Member Simon, second by Member Ahles, to make no changes to the value of these parcels.

AYES: Ahles, Herberg, Pfllepsen, Simon & Volkmuth

NAYS: Becker & Palmer.

Motion passed on a 5 to 2 vote.

76.41651.500 Allan & Rita Brisse - 2167 County Road 8 – The Brisse's were not present at the meeting. No action was taken.

EMV \$ 258,400 2008

2009 \$220,000

76.41602.300 & 76.41602.400 - Bill Becker 25844 Lake Road withdrew himself from the council position. Mr. Becker reported that he owns two lots and the house is located 1/3 on the second lot. It was determined that Mr. Becker will have to go to the county to combine the two lots. Mr. Becker has 160' of lake frontage.

EMV \$153,500 & \$468,900 2008

2009 \$158,700 & \$489,800

Motion by Member Pfllepsen, second by Member Volkmuth, to use the same formula recommended by the County Assessor giving a reduction to the lake frontage and reducing the value by \$90,900. Further this is subject to the two lots being combined by the County.

AYES: Ahles, Herberg, Palmer, Pfllepsen, Simon & Volkmuth

ABSTAINING: Becker

Motion passed on a 6 to 0 vote.

76.41647.500 Paul Wenner - 21103 Grand Lake Court – Mr. Wenner was present to question the value of his property. This property value has gone up \$100,000 in two years. This property is next to Charles Grell. \$517,600 for land with 245' affected lake front or 252' on the lake.

EMV \$574,000 2008 & was 2005 \$311,000

2009 \$644,600

Discussion was held regarding whether or not the market is going to self correct itself this year.

Motion by Member Volkmuth, second by Member Palmer, to use the same formula recommended by the County Assessor giving a reduction to the lake frontage and reducing the value of the land to \$459,600 for a total of \$586,600.

AYES: Ahles, Becker, Herberg, Palmer, Pfllepsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41741.024 Mark Lindell 516 Aspen Court West – Mr. Lindell was not present for the meeting. No action was taken.
EMV \$197,100 2008 2009 \$202,500

76.41655.500 Charles Craft - 12647 210th Street – Mr. Craft was present to question the market value of his house which was \$219,000 when he bought it and now it is \$253,700. This was the John Maus property and was purchased last year. Mr. Craft wanted to know how this compared to the neighboring lot (Schneider) and it being a buildable lot. Randy Lahr indicated they do take into account that it is a buildable site.
EMV \$253,700 2008 2009 \$251,800

Motion by Member Becker, second by Member Ahles, to make no change to the value of this parcel.

AYES: Ahles, Becker, Herberg, Palmer, Pflepsen, Simon & Volkmuth
Motion passed on a 7 to 0 vote.

76.41604.010 & 76.42350.001 Diana Leyk - 25782 Lake Road – Ms. Leyk was not present for the meeting. No action was taken.
EMV \$281,900 2008 2009 \$290,100
EMV \$340,300 2008 2009 \$337,100

76.41840.007 James Gill - 11398 230TH Street – Mr. Gill was present to voice concern on the value of his property. The value went down, but he thinks it should have been more. Randy Lahr and Gary Grossinger reported that the reason for the decrease is due to depreciation and what the market is doing.
EMV \$184,800 2008 2009 \$183,600

Motion by Mayor Herberg, second by Member Pflepsen, to make no change to the value of this parcel.

AYES: Ahles, Becker, Herberg, Palmer, Pflepsen, Simon & Volkmuth
Motion passed on a 7 to 0 vote.

76.41604.800 Jeff Kraus – Jeff's Auto Body Shop – Mr. Kraus was present to voice concern about the taxes on his buildings. He is paying \$22,000 in taxes each year. Randy Lahr reported that he has a lot of buildings on the property and offered to look at the property to see if the use has changed.
EMV \$762,800 2009 \$785,800

Motion by Member Volkmuth, second by Member Palmer, to make no change to this parcel, but that the Assessor is to view the property once again to determine if the use is still the same (storage Vs shop/office).

AYES: Becker, Herberg, Palmer, Pflepsen, Simon & Volkmuth
NAYS: Ahles
Motion passed on a 6 to 1 vote.

76.42240.035 – Cold Spring Granite mobile home/office – Pam Overland submitted a letter regarding the value of the mobile home/office at \$83,900 citing that it is used by the quarry team. The company is considering getting rid of the trailer. Randy is recommending a reduction to \$77,400. Randy also reported that the mobile home was listed under another parcel # so he corrected that this year.

EMV \$42,000 without a building 2009 \$125,900

Motion by Member Volkmuth, second by Member Ahles, to reduce the value of this parcel to \$77,400.

AYES: Ahles, Becker, Herberg, Palmer, Pflepsen, Simon & Volkmuth
Motion passed on a 7 to 0 vote.

76.41605.600 – Chuck Johannes – Capital Granite did not submit a letter.
EMV \$2,114,600 2008 2009 \$
No action was taken.

76.41649.800 Mike Roth 11190 Grand Lake Road – Mr. Roth submitted a letter to Randy Lahr regarding the value of his house. Randy Lahr recommended a reduction to \$446,900 based on his review of the house.

EMV 429,500 2008

2009 \$464,400

Motion by Member Volkmuth, second by Member Becker, to reduce the value of this parcel to \$446,900 as recommended by the Assessor's Office.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41800.002 & 76.41800.003 -Tim Torborg 21723 Agate Beach Road – Mr. Torborg submitted a written letter regarding 76.41800.002 which he is in the process of completely gutting out and remodeling the cabin. *(It should be noted that no building permit was pulled for this project).*

EMV \$ 421,700 2008

2009 \$465,000

Randy Lahr agreed that he is remodeling and recommends a reduction to \$370,200.

Motion by Member Volkmuth, second by Member Palmer, to reduce the value of this parcel to \$370,200 as recommended by the Assessor's Office.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.42070.013 Simonne Dansereau 11028 Grand Lake Road submitted a letter regarding the value of her property. Thomas Eickhoff's parcel #76.42070.014 was cited as a comparable value. It was determined that the Eickhoff property was a family land sale.

EMV \$269,000 2008

2009 \$301,200

Motion by Member Volkmuth, second by Member Ahles, to make no change to the value of this parcel.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

76.41647.700 Susan Palmer 21108 Fowler Road – stepped down from the council dais to voice concern on the value of her parcel which has more than 100' lake frontage.

EMV \$626,200 2008

2009 \$674,100

Motion by Member Pflapsen, second by Member Volkmuth, to reduce the value of this parcel to \$641,700 based on the recommendation of the Stearns County Assessor for lake frontage reduction.

AYES: Ahles, Becker, Herberg, Pflapsen, Simon & Volkmuth

ABSTAINING: Palmer

Motion passed on a 6 to 0 vote.

76.41603.050 Randy Volkmuth 25742 Lake Road – stepped down from the council dais to voice concern on the value of his parcel which has more than 100' lake frontage.

EMV 398,300

2009 \$410,600

Motion by Member Pflapsen, second by Member Ahles, to reduce the value of this parcel to \$399,000 based on the recommendation of the Stearns County Assessor for lake frontage reduction.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen & Simon

ABSTAINING: Volkmuth

Motion passed on a 6 to 0 vote.

Susan Palmer asked about the other property owners who own over 100' of lake front property and what happens if they are not here. Gary Grossinger stated that the law reads they have to be present.

CLOSE THE BOARD OF APPEAL & EQUALIZATION HEARING – Motion by Member Volkmuth, second by Mayor Herberg, to close the Board of Appeal and Equalization hearing at 9:16 p.m.

AYES: Ahles, Becker, Herberg, Palmer, Pflapsen, Simon & Volkmuth

Motion passed on a 7 to 0 vote.

ADJOURNMENT – *Motion by Mayor Herberg, second by Member Ahles, to adjourn the meeting at 9:16 p.m. Motion carried unanimously.*

**VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK**

**BRIAN HERBERG
MAYOR**