

INCLINE VILLAGE * CRYSTAL BAY
CITIZEN ADVISORY BOARD

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TRANSCRIPT OF PUBLIC PROCEEDINGS
WEDNESDAY, AUGUST 2, 2007
INCLINE VILLAGE, NEVADA

The Board: RICK JONES, Chairman
SUSAN MARIE FAGAN, Member
GENE BROCKMAN, Member
GUY BURGE, Member
DAVID ZEIGLER, Member
DEBORAH NICHOLAS, Member
DEBBIE GRIMES, Member
JANE MAXFIELD,
Secretary to the Board

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1 INCLINE VILLAGE, NEVADA,
2 WEDNESDAY, AUGUST 2, 2007, 7:00 P.M.
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5 CHAIRMAN JONES: Good evening. I would like to
6 call the August meeting of the Incline Village * Crystal
7 Bay Citizens Advisory Board to order.

8 The first thing on the Agenda is a pledge to
9 the flag. I'd like to ask if Tom Bruno would mind leading
10 us in the pledge of allegiance.

11
12 CHAIRMAN JONES: First off, I'm thrilled that
13 all you people are here just for the Citizen's Advisory
14 Board. We've never had a turnout like this.
15 The next item on our Agenda is a roll call.
16 And with that, I'm going to also introduce the new Board
17 members. Some people have been reappointed, such as Guy
18 Burge. Some people have moved from an alternate position,
19 up to a full Board member status, such as Deborah Nichols,
20 and some people are replacements, such as Debbie Grimes.
21 We also have a new alternate at-large person,
22 and that's Susan Fagan. She was a Board member, decided
23 she'd still like to stay in touch but not necessarily in
24 her original capacity. So I welcome all the Board members,
25 and as far as this evening goes, as an alternate you will,

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1 because you're taking Patrick McBurnett's spot, be voting
2 as a full Board member.

3 MEMBER FAGAN: Okay.
4 CHAIRMAN JONES: Okay. Great. So nice job.
5 Thank you all for applying for the position. And, gee, I
6 guess it was just your turn to draw the short straw. So
7 thank you for your time and efforts with the Board.

8 I'd like to note that we do have one absentee
9 this evening, and that is Patrick McBurnett. He was called
10 out to fly at the last minute and asked that he please be
11 excused.

12 The next item that we have is a certification
13 of the posting of Agenda, and I will ask if Jane Maxfield
14 made it around to the post offices and various --

15 SECRETARY MAXFIELD: I made it around to the
16 post offices, the other offices and everything else, the

17 library. The Agenda was posted according to the open
18 meeting laws.

19 CHAIRMAN JONES: Terrific. Thank you, ma'am.
20 The next item would be the approval of the
21 Agenda for this evening, and I would look for that from
22 one of our Board members.

23 MEMBER ZEIGLER: So moved.

24 MEMBER BURGE: Second.

25 CHAIRMAN JONES: The motion has been made and
3

1 seconded to so approve the Agenda for this evening.

2 MEMBER BROCKMAN: Question.

3 CHAIRMAN JONES: Yes, sir.

4 MEMBER BROCKMAN: Wasn't there a question of
5 moving Item 15 forward?

6 UNIDENTIFIED SPEAKER: Speak up, please.

7 UNIDENTIFIED SPEAKER: Louder, please.

8 MEMBER BROCKMAN: Certainly. Excuse me.

9 And wasn't there a question of moving Item 15,
10 which is concerning the reappraisal of property, forward in
11 the Agenda, so that it isn't the last item? But I don't
12 think anybody here is interested in that. So maybe we will
13 move on. (Laughter)

14 CHAIRMAN JONES: That observation was made, and
15 we are doing this primarily to help you folks out, and so
16 you can still go and enjoy the long Tahoe evenings with
17 dinner at home, and a nice Mint Julip, and stuff like that.

18 MEMBER BROCKMAN: I would move that we move
19 Item 15 to follow Item 7, which is the Election of
20 Officers.

21 CHAIRMAN JONES: Very well. With that motion
22 in place, is there a motion to -- or is there a second to
23 this?

24 MEMBER FAGAN: I'll second it.

25 MEMBER GRIMES: Second it.

4

1 CHAIRMAN JONES: All in favor?
2 Opposed?

3 (The vote was unanimously in favor of motion.)

4 CHAIRMAN JONES: With that in place, then, I
5 would go back and ask for the motion and second to approve
6 our now amended Agenda.

7 MEMBER ZEIGLER: So moved.

8 MEMBER BROCKMAN: Second.

9 CHAIRMAN JONES: And all in favor?
10 Opposed?

11 And the motion carries.

12 (The vote was unanimously in favor of motion.)

13 CHAIRMAN JONES: Thank you, Gene, for bringing
14 that up, also.

15 (Proceedings continued,
16 reported but not transcribed herein)

17 * * * * *

18 (Proceedings continued as follows)

19 MARYANNE INGEMANSON: Josh just arrived. I saw
20 him walk by.

21 CHAIRMAN BROCKMAN: Yes?

22 UNIDENTIFIED SPEAKER: That was the news.

23 CHAIRMAN BROCKMAN: Okay.

24 UNIDENTIFIED SPEAKER: I think 431 has been
25 closed for a couple hours.

5

1 MARYANNE INGEMANSON: No. He just arrived.

2 UNIDENTIFIED SPEAKER: Yeah. That's what he
3 probably had to go through.

4 (Proceedings pause briefly)

5 CHAIRMAN BROCKMAN: Hi, Josh.
6 MR. WILSON: Hi, there. How's it going? Good
7 to see you.
8 CHAIRMAN BROCKMAN: Hello.
9 MR. LOPEZ: I'm Rigo Lopez.
10 CHAIRMAN BROCKMAN: We have -- so you know, we
11 have adjusted our Agenda so that as soon as you're ready,
12 you're on.
13 MR. WILSON: Okay.
14 CHAIRMAN BROCKMAN: Shall we do one more item
15 first?
16 MR. WILSON: I'll leave it up to you. I'm
17 ready any time.
18 CHAIRMAN BROCKMAN: There are a couple of
19 people in the audience that are interested in hearing what
20 you have to say.
21 MR. WILSON: Good.
22 CHAIRMAN BROCKMAN: I'd like to introduce Josh
23 Wilson, who is the newly-elected Assessor for Washoe
24 County.
25 MR. WILSON: All right. Well, I guess I'll --
6

1 MEMBER JONES: Would you like a chair?
2 MR. WILSON: No, no. I'll stand. This is
3 plenty fine as long as you guys don't mind me talking
4 behind you.
5 CHAIRMAN BROCKMAN: I understand that there's
6 some people out in the hall that are without benefit of a
7 microphone. So if you can speak loudly, it would be a
8 appreciated.
9 MR. WILSON: Okay. I will do that.
10 Okay. First I want to thank everybody for
11 coming out to hear what I had to say. I really do
12 appreciate that. I kind of feel like E.F. Hutton, and I
13 don't know -- either that or something else. I guess what
14 I have to say, people want to hear.
15 So I appreciate the turnout. I appreciate the
16 Citizen's Advisory Board allowing me the opportunity to
17 come out and speak to all of you all. This was one of the
18 goals that I had when I was running for Assessor, was to
19 conduct more community outreach, and get involved, and
20 put -- so you all can put a face with the Assessor. And I
21 want to engage you in conversations and discussions
22 regarding the assessment of property at the Incline Village
23 Crystal Bay area.
24 This next year, the '08-'09 fiscal year, is a
25 reappraisal year for the Incline Village area, and by
7

1 statute, I have to value all property that's subject to
2 taxation, reappraise it, once every five years, or factor
3 it in the interim years. So I have to establish a value,
4 regardless of the Court decisions and everything else
5 that's going on. And I want to make sure that the values I
6 establish are done in accordance with all applicable
7 statutes and regulations that govern property valuation in
8 the State of Nevada.
9 I want to introduce Rigo Lopez. He's the
10 Senior Appraiser that's in charge of valuing the
11 reappraisal of Incline Village Crystal Bay. Many of you
12 have probably seen teams of our folks out walking the
13 streets. What we're doing is we're verifying all the
14 improvements on the property, and we're also filling out a
15 state-developed view evaluation form that is going to
16 lead to less objective -- or subjective -- excuse me -- to
17 evaluate the view.
18 What the law says -- NRS 361.228 says view is
19 not an intangible person property, and that I have to value

20 it if it can be demonstrated that view influences the
21 property's value, and I'm trying to find as an objective
22 way to go ahead and do that.
23 A couple of the other items that we're looking
24 at for conducting the 2008-2009 reappraisal is a tremendous
25 amount of the statistical analysis in arriving at the
8
1 indication of land value. That's going to include two
2 forms. There's going to be regression, to where we're
3 going to try to utilize -- identify attributes, put them
4 into a regression model and see if that attribute
5 influences value one way or the other.
6 A couple of the other statistical methods that
7 we're going to utilize and -- for results are extraction,
8 which I believe is the focal point of what the Village
9 League has been asking for, is to look at improved sales in
10 a manner to estimate land value. So we're going to look at
11 extraction.
12 A couple of the issues that we have with
13 extraction is what constitutes the improvement value. Now,
14 I know what Clark County does, and I know what Doug Bigsby,
15 who's the Coordinator for the Department of Taxation did
16 when he conducted his extraction program, and that includes
17 subtracting the Marshall-Swift cost.
18 You're building taxable value, that you're
19 paying tax on from the sale price, and whatever is left
20 over is land. This results in roughly a 50 percent
21 land-to-building allocation ratio. I do not feel that is
22 appropriate in utilizing extraction for valuing property.
23 My reason for that is: I don't believe the
24 Marshall-Swift cost, as indicated on your property
25 valuation card, represents the full contributory value of
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1 those improvements. And so any extraction that is going to
2 get done needs to include some modifier to Marshall-Swift
3 to account for the full contributory value of those
4 improvements, and that is my goal. And I know Les is going
5 to be there, right along with me at a lot of the workshops,
6 probably tomorrow, and we're going to talk about that
7 issue, specifically.
8 I want to assure this group that nobody wants
9 clarification and answers to the intent of the Supreme
10 Court decision more than myself. I'm not commission-based.
11 I'm an elected official. I'm not in the coffers of Washoe
12 County. That is not my job as an assessor.
13 What my job as an assessor is, is to value the
14 property according to all the applicable statutes and
15 regulations. I then forward that value estimate to the
16 County Commissioners who then determine whether the tax
17 rate that -- or they determine what tax rate needs to be
18 applied to that assessed value to generate enough revenue
19 to operate the County.
20 So the questions I would like to see getting
21 asked at a certain point -- and I will continue to do it as
22 long as I'm elected -- is if assessed value doubles in a
23 single year, why has there not been any reduction in the
24 operating tax rate? Because obviously, applying the same
25 rate to a higher assessed value is going to generate more
10

1 revenue, and it's just the way it works.
2 One of the other issues I kind of want to
3 discuss is the comparison of Washoe to Douglas, because
4 that's a very valid comparison, and one that I think people
5 need to understand a little bit more about.
6 And the best way that I can understand -- or
7 explain this is this: Assuming that we have the exact same

8 assessed value on similar properties in Washoe and
9 Douglas -- we're talking the same assessed value that
10 they're going to apply a tax rate to -- the reality is, in
11 Douglas County they're going to pay approximately -- well,
12 in the base year -- I'm looking at '04, which is the tax
13 cap base year. That's a very important year for all of you
14 to remember.

15 But their tax bill on the same assessed value
16 is going to be roughly 35 percent lower than all of your
17 guys' tax bill, and that's a function of the tax rate. The
18 tax rate, again, is governed by the Commissioners. To get
19 to -- to give you an example of this, the tax rate in
20 Douglas County for the '04-'05 tax year up at the lake was
21 approximately 2.1496. The tax rate for that same year up
22 here at Incline Village was 3.2478.

23 So it's essentially 35 percent higher right
24 here at Incline. So even if we had the same exact
25 valuation on the property, their tax bill is going to be

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1 lower, based on the tax rate that they have established for
2 Douglas County at the lake. And I think that's a very
3 important thing to keep in mind when all of you do is
4 analyze taxes and the difference in tax bills. It's a
5 function of the -- of the process.

6 Now, I briefly have discussed the '08
7 reappraisal. I'd be happy to come back and discuss it
8 further, but I think what you're all here to hear is the --
9 and I don't have the Agenda in front of me -- but other
10 related assessment issues. And as I've said, and it was in
11 the Bonanza today, and there'll be an article in the
12 Gazette probably Friday. I'm not trying to hide from
13 anything. I want the answers. I want to be accountable to
14 you folks, and I want to answer all of your questions.

15 So, in essence, there's been a lot of
16 discussion about me, Josh Wilson, the Washoe County
17 Assessor, limiting the Supreme Court decision to 17
18 property owners, and that I am acting in contempt by me
19 limiting that to only 17 property tax. And my response is
20 this: I've been given a lot more authority by that
21 analysis than I truly have in reality.

22 And this is what I mean. Once I publish the
23 tax roll in the newspaper, in December, and I send value
24 notices out to all of the folks in Washoe County, I
25 essentially lose control to change any of those values that

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1 have been established. The only bodies that can change the
2 values once I mail them out and notice the property owners
3 of their value is the County Board of Equalization, first,
4 and then subsequently the State Board of Equalization, and
5 then after that, ultimately the Court.

6 And so that's where the Bakst decision came was
7 from the Court. And this is what the Supreme Court had to
8 say in relation to the taxpayers.

9 "Respondents," parenthesis,
10 "Taxpayers," capital T, "are 17 taxpayers and
11 owners of real property located near Lake Tahoe
12 in Incline Village or Crystal Bay, Washoe
13 County, Nevada."

14 The Supreme Court determined that this was
15 applicable to 17 taxpayers. And I want to read a couple
16 of -- just another just brief section of this decision.
17 And it's right near the conclusion, because again I'm not
18 trying to hide from anything. I'm trying to react to an
19 unprecedented decision against an assessor who's no longer
20 in office. And I'm here to pick up and try to move this
21 forward and do it in a positive and productive manner.

22 And I can assure you and guarantee you that I

23 have already been at the -- every Tax Commission meeting
24 that has taken place, Department of Taxation workshops,
25 whether I'm talking about the tax cap, or valuation

13

1 regulations, or this new lead grill -- green building law
2 that was passed. I am there working for you and taking
3 comments from you, and again I want to do what my
4 constituency wants, and I am working very hard to do that.

5 Basically the District Court appropriately
6 declared those values null and void. This is reading from
7 the Supreme Court decision.

8 "To determine what taxes should
9 have been paid we note the Taxpayers concede
10 that their properties were properly valued in
11 '02-'03.

12 "Accordingly, the District Court
13 properly ordered that the '03-'04 valuations be
14 set to the '02-'03 level.

15 "Further, as directed by the
16 District Court, the taxpayers are entitled to a
17 refund of the difference between any taxes they
18 paid based on their '03-'04 valuations and the
19 taxes they should have paid based on their
20 '02-'03 valuations."

21 That the -- that formula allows the taxpayers
22 to receive a refund for the taxes that are directly
23 attributable to the use of the disputed methodologies.
24 That's what the Supreme Court said the remedy was for the
25 17 taxpayers.

14

1 And then they went on further to say, in their
2 conclusion:

3 "The Nevada Tax Commission
4 failed to fulfill its statutory duty to update
5 general and uniform regulations governing the
6 assessment of property. Without uniform
7 regulations from the Tax Commission, the
8 Assessor understandably created the
9 methodologies he deemed necessary to assess
10 properties in Incline Village and Crystal Bay
11 areas. Those methodologies are
12 unconstitutional, however, because they are
13 inconsistent with the methodologies used in
14 other parts of Washoe County and the entire
15 state."

16 That's what the Supreme Court said. That's
17 what I'm trying to fix, and that's why I'm spending so much
18 time with the Department of Taxation, with interested
19 individuals, with the Tax Commission, to make sure that I'm
20 doing things according to statute and regulation.

21 To give you a brief overview of what statutes
22 tell me to do, it tells me to put land on at market value.
23 They call it full cash value in the statute, but it's very
24 similar to market value. And then we determine the
25 replacement cost, new, using the Marshall-Swift cost

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1 manuals, and we apply one and a half percent a year
2 depreciation to the age of your property, subtract
3 depreciation out, and add the depreciated replacement cost
4 of the improvements to the market value of the land, and
5 that determines your taxable value. So that's what the
6 Supreme Court had to say.

7 In another Court, where I was -- let me see
8 what -- okay. This was a contempt suit brought against me
9 in February, about five weeks, six weeks into office, Norm
10 Azevedo filed a suit to say that I was acting in contempt

11 of Court by not valuing his property -- or the 17 taxpayers
12 that -- how do I put it? Basically, that I didn't
13 automatically change the '07-'08 values based on the
14 decision of the Supreme Court in December of 2006.

15 And the reason I couldn't change those values
16 is very simply the methodology I explained earlier. Once I
17 noticed it in the newspaper, once I send the value notice
18 to the taxpayer, I can't. I lose control. Now, it's up to
19 the County Boards.

20 So, anyways, in an order that was rendered on
21 that case, it was -- it was dismissed or found that I
22 didn't act in contempt, which I appreciate. It says:

23 "The Plaintiff's parcels were
24 revalued at the '02-'03 assessed value for the
25 '03-'04 tax year, and they received refund
16

1 checks with interest for the only year this
2 case involved. This case is over and was over
3 the day of the refunds with interest (sic) were
4 paid."

5 This was issued by the Honorable Judge Maddox,
6 who is the person that issued the initial District Court
7 decision that was ultimately affirmed by the Supreme Court.
8 This is an issue that was -- it was dated May 18th of '07.
9 This is what Judge Maddox had to say.

10 And, again, I'm not trying to justify anything.
11 I'm trying to give the taxpayers up here an opportunity --
12 an idea of all the different indications of what's right
13 and what's wrong that I'm receiving from the courts.

14 This one, I think, is probably the most
15 potentially -- how I do I say this? I -- let me give you
16 an idea. The Supreme Court render a decision last Thursday
17 that I became aware of on Tuesday, that the case was even
18 in the Supreme Court. This caught me completely by
19 surprise. I had no idea this case was even still in the
20 Supreme Court.

21 What happened is in -- in November, I think,
22 13th of -- well, yeah, here it is, right here --
23 November 13th of 2003 Sue Ellen Fullstone, on behalf of
24 Woodburn and Wedge -- and it's listed Dale Ferguson here
25 also -- filed essentially a class action suit very similar
17

1 to the -- the case that Norm Azevedo filed on behalf of 17
2 taxpayers. And, again, I didn't know this was out there.

3 But the Supreme Court ruled that essentially
4 this -- well, this is what it says. I mean, there's a lot
5 of stuff -- I could almost read the whole thing. But this,
6 I think, is the most important sentence.

7 "Thus, it appears that the
8 holding in Bakst satisfies the declaratory
9 relief sought by the Village League in its
10 underlying case. However, if any of the
11 parties believe that there are issues remaining
12 to be resolved in this appeal that are distinct
13 from those resolved to Bakst, that party may
14 file a response to this order within 20 days
15 informing this Court of those remaining issues
16 and requesting some supplemental briefing if
17 appropriate."

18 I'm going to use this sentence to ask an awful
19 lot of questions of the Supreme Court, because I want
20 answers. When I -- this is -- I mean, two half pages, this
21 order, right here. So to get to the meat of what this
22 really said, I wasn't back and got the Complaint filed in
23 the Second Judicial District Court, which interestingly was
24 dismissed at that level in 2005, but then was appealed.
25 And I don't know if our attorneys missed the briefing

1 schedule or what, but it doesn't seem as though we
2 presented any evidence to the Supreme Court on this issue.

3 But this is very confusing to me, because I
4 need to know what the ramifications or what the scope of
5 this decision is, because when I read this decision, it
6 says, "The Plaintiff class consists of the owners of
7 approximately 6713 parcels of real property in Incline and
8 Crystal Bay in Washoe County, Nevada."

9 So -- and then it goes on to say, "Said class
10 is so numerous that the joinder of each individual member
11 of the class is impractical."

12 So I've got numbers out there. There's
13 roughly -- and I may be wrong a little bit, but there's
14 roughly 12,000 parcels up here. There's approximately
15 9,000 residential properties that were kind of rolled back
16 by the County Board last year. And now this Complaint is
17 filed on behalf of the 6713 property owners, and I don't
18 know who they are.

19 So that's going to be one of the first
20 questions I ask is who -- because this clearly doesn't
21 represent all the total parcels up here. So I don't know
22 if it's residential parcels. I don't know -- I don't know
23 who the 6713 parcels are.

24 And the other question that I have with this
25 Complaint is: The remedy sought in this Complaint is
19

1 different than the remedy granted by the Supreme Court in
2 the Bakst decision. And essentially -- let me find it
3 here. I think I -- I highlighted it.

4 THE REPORTER: Josh, can you hang on for just
5 one second?

6 MR. WILSON: Yes.

7 (Proceedings paused briefly)

8 MR. WILSON: And everything I've said --

9 THE REPORTER: Hang on, Josh.

10 MR. WILSON: Well, this isn't -- this is not
11 under oath or anything. But I've said all this under oath
12 Under at the County and State Board. I'm not sure whether
13 this is intimidation or what, having a Court Reporter here,
14 but anything say is -- I mean it, and I will stand behind
15 it.

16 Let me see, here. There's just -- what I'm
17 trying to get to the point of is -- I want to read you the
18 section -- okay. This is it. This is in the -- I don't
19 know how to read. It says, "Wherefor Plaintiff prays as
20 follows," and there's a number of issues here.

21 But the only one I could really figure out that
22 involved a refund or a dollar amount is -- that they prayed
23 for, "that the Court set aside the invalid and
24 unconstitutional valuations by Washoe County of real
25 property of members of the Plaintiff class."
20

1 "Direct the Defendant, Washoe
2 County Assessor, to make new valuations in
3 accordance with the existing and properly
4 adopted regulations of the Nevada Tax
5 Commission and determine the amounts to be
6 refunded members of the Plaintiff class."

7 So this sounds to me like I'm supposed to go up
8 and reappraise as of '03-'04, not using time adjustments,
9 view classifications, teardowns, or lakefront rock
10 classifications. However, the remedy granted in Bakst was
11 simply to roll back to '02-'03. So these are the questions
12 I need to ask the Supreme Court. I want to implement every
13 intent of the Supreme Court, but it's not as clear to me

14 what that exactly is.
15 And so hopefully through this or through maybe
16 a petition seeking declaratory -- I don't know. I'm not an
17 attorney, but I know I want the Supreme Court to tell me
18 what they want me to do, because when they sent me a half
19 page order that simply says -- the only part I can really
20 make heads or tails of is that one sentence I read you that
21 they've satisfied the declaratory relief.

22 Well, when I read the Complaint, it says that
23 they want more than declaratory relief in a lot of these
24 instances. It -- it indicates that they want the
25 declaratory relief, injunctive relief, and refunds.

21

1 However, in this order it says they gave declaratory
2 relief. And I'm not an attorney. I don't think what that
3 means, but I'm going to ask the Supreme Court, and I want
4 to know whether it means to roll back to '02-'03 and refund
5 everybody's money. And, again, I have no control to do
6 that.

7 The Treasurer's Office issues refund checks.
8 The money's already been spent and divied up among all the
9 various entities that received the tax revenue. It's not
10 just Washoe County that has this -- do you want to call it?
11 You know --

12 UNIDENTIFIED SPEAKER: You could cut back.

13 MR. WILSON: -- debt.

14 UNIDENTIFIED SPEAKER: How about Slash Fund
15 from Incline Village?

16 MEMBER ZEIGLER: Mr. Chairman, could we have a
17 little quiet while the gentlemen is addressing? And I do
18 have a question.

19 MR. WILSON: Yeah.

20 MEMBER ZEIGLER: I hadn't noticed that she is
21 her -- who is the lady taking the --

22 VOICE: Louder, please.

23 MEMBER ZEIGLER: -- dictation.

24 UNIDENTIFIED SPEAKER: Louder.

25 CHAIRMAN BROCKMAN: The question is: Who is

22

1 the lady -- who is the -- the --

2 UNIDENTIFIED SPEAKER: Reporter.

3 CHAIRMAN BROCKMAN: -- reporter, the Court
4 Stenographer. Could you identify yourself?

5 THE REPORTER: Yes, I can. I was hired by the
6 League to come and report this, this evening.

7 CHAIRMAN BROCKMAN: Which Village?

8 THE REPORTER: The Village League.

9 CHAIRMAN BROCKMAN: The Village League? Okay.
10 Does that satisfy you, David?

11 MEMBER ZEIGLER: Yes, that satisfies me. Thank
12 you.

13 CHAIRMAN BROCKMAN: And so at this time I'll
14 entertain taken any questions. I mean, Slash Fund from
15 Incline Village? The issue in my opinion is this: Taxes
16 are an ad valorem tax, which means -- it's -- it's Latin
17 for at value. Any property tax is typically a value tax,
18 and it's a value tax to where the more valuable your
19 property is, the higher your tax bill is going to be. I've
20 done a lot of sales ratio studies. I believe this is going
21 to be the direction that the Department of Taxation takes
22 in measuring equalization.

23 But essentially a sales ratio study is this:
24 You take your total taxable value, divide it by sale
25 prices, and that determines a ratio of the value you're

23

1 paying tax on versus the market value of your property.

2 When I ran the statistics up here in this area,
3 prior to the rollback, you were roughly 60 percent. After
4 the rollback, it's going -- the median -- and I'm looking
5 at the median. That's -- that's the median.

6 After the rollback the median's going to be
7 roughly 40 percent, comparing -- and, again, I don't care,
8 because the Supreme Court is telling me to do this.

9 That compares with the median assessment ratio
10 down in Washoe County of roughly 60 to 65 percent, as well.
11 So on a ratio basis, your taxable value to your market
12 value is very similar to the rest of Washoe County. The
13 difference up here is the median sale price in Washoe
14 County in the valley, roughly 300,000, the median selling
15 price last year was a little over a million dollars. So
16 when you apply the same assessment ratio to a higher
17 taxable value, it's going to result in significantly higher
18 tax bills for properties up here.

19 Now, I do have some median sale price trends,
20 if anybody is interested in looking at what the market's
21 done up here in -- on the -- and looking at the median for
22 the past 16 years. And, again, I'm not trying to justify
23 anything September except that the market is appreciating
24 up here, or at least, based on the past 16 years, has
25 appreciated very substantially.

24

1 Yes?

2 CHAIRMAN BROCKMAN: Are you kind of through?

3 MR. WILSON: I'm done.

4 CHAIRMAN BROCKMAN: Okay. Now, I could I see
5 the hands of those who want to ask Josh a question?
6 (Hands showing).

7 CHAIRMAN BROCKMAN: Okay. The ground rules are
8 these: You will ask the question of the Chair. You will
9 identify yourself by name and address. And you will have
10 two minutes to ask your question, and then we will ask Josh
11 to respond to that question. Okay?

12 And I saw your hand up first, there, in the
13 gray t-shirt.

14 GARY MARONE: Do you want me to come up front
15 or --

16 CHAIRMAN BROCKMAN: Right. It's okay as long
17 as you speak up.

18 GARY MARONE: I have two questions.

19 CHAIRMAN BROCKMAN: What's your name?

20 GARY MARONE: Gary Marone, and I'm at 1530
21 Vivian Lane.

22 CHAIRMAN BROCKMAN: Thank you.

23 GARY MARONE: First of all, I don't think any
24 of us here doubt that the property values have increased in
25 Incline faster than they have increased anywhere else in

25

1 Washoe County. (Cough) Excuse me.

2 I don't think that's a point to be made. I
3 don't think it makes a difference. What we care about is
4 how the evaluations were made, and that those evaluations
5 are made like they are were in 2002 and 2003. I don't care
6 about '4, '5, '6, '7, '8. It doesn't matter. Whatever has
7 been done in 2002-2003, the Court recognized as proper.
8 The Court recognized everything since that time as
9 unconstitutional.

10 So it seems very clear to me that somebody has
11 to go back and say: How did we evaluate things in
12 2002-2003? Let's do the same evaluation for '4-'5, '6-'7,
13 whatever. It seems pretty clear to me. I don't see what
14 the big question mark is.

15 My second thing is: You raise the issue of --
16 somebody said Slush Fund, but -- you raised the issue of

17 the fact that it's a heck of a debt for Washoe County. You
18 know what? That's too bad. Under our state constitution,
19 the state has to pay the debt if Washoe County can't. So
20 the debt's not something that can't be paid or that Washoe
21 County's going to go bankrupt. That doesn't happen. The
22 debt will get paid one way or another. What this simply
23 is, is --

24 UNIDENTIFIED SPEAKER: Bullshit.

25 GARY MARONE: No, it's -- it's -- it's simply
26

1 just putting off what the inevitable is. The Court came
2 out with a ruling. We're all under equal protection under
3 the constitution of not only the United States, the
4 constitution of the State of Nevada. Equal protection
5 means similarly situated people get treated the same. So
6 whether they've come up -- whether the Supreme Court has to
7 come out and say, "Oh, I'm sorry. I meant 85,201 -- they
8 don't have to do that.

9 You don't want to class action suit where
10 similarly situated people file a class action based on the
11 precedent that is before you right now? Very easy to do.
12 Very cheaply done. The Supreme Court just has to say,
13 "equal protection." It's done. Everybody's treated the
14 same.

15 CHAIRMAN BROCKMAN: Time.
16 (Applause)

17 CHAIRMAN BROCKMAN: Would you like a minute
18 response?

19 MR. WILSON: I don't want to respond to.

20 CHAIRMAN BROCKMAN: Okay.

21 MR. WILSON: Can I blatantly, on my own
22 initiative, go back and change values? I've been told by
23 my attorneys I can't. I've read the statutory authority.
24 I'm going to ask the Supreme Court, as part of this '03
25 case -- that's the only case that has been decided '03-'04.

27

1 I'm going to ask them, prospectively speaking, and
2 hopefully resolve all these issues at once. I want no --
3 no more resolve than you folks do, believe me.

4 CHAIRMAN BROCKMAN: Thank you, Josh.

5 In the back row, and I'd also ask those of you
6 who are seated to please stand to ask your question.

7 CHAIRMAN BROCKMAN: Yes.

8 CHARLES MARVIN: Yes, Charles Marvin, 1010
9 Galaxy Way.

10 Two questions. First of all, I've sat in on a
11 lot of these meetings, and I am totally distressed at the
12 legal advice that the government side has been giving or
13 handle out. Where I come from, the lawyers are there to
14 prevent the agencies and organizations from getting into
15 trouble, not scheming how to put things off and delay. The
16 lawyers in this entire process have been violating the
17 oaths that I believe they should be taking, and that's a
18 crime in this whole process.

19 Secondly, I heard you mention view again. Are
20 you looking at the views in Washoe County?

21 UNIDENTIFIED SPEAKER: Very good.

22 MR. WILSON: Yes.

23 CHARLES MARVIN: The thing -- about the view
24 thing, I agree with the statement here. The Supreme Court
25 made a very obvious ruling. Any property up here that had

28

1 those parameters in it qualifies as -- as
2 unconstitutionally dealt with. You don't have to be a
3 rocket scientist to understand that. And I think your
4 organization needs to work inside the bureaucracy and argue

5 that you're getting bad legal advice and get on with
6 things.

7 CHAIRMAN BROCKMAN: Thank you, Charles.

8 MR. WILSON: I'm put in a very difficult

9 position when my representative's boss answers to the

10 County Commissioners is all I can say about my

11 representation. Is there a conflict? I don't know. I

12 would prefer -- never mind.

13 The second issue about the view, I -- what the
14 Supreme Court said, in my opinion, is you can't -- again,
15 the statute tells me I have to value view if it influences
16 market value. That's in the statute. I have to.

17 Now, the manner in which I go about doing that
18 is what I'm trying to clarify, and you've got to always put
19 yourself in the position of somebody, that truly does not
20 have a view, paying the same tax burden as somebody that
21 has a tremendous view that pays significantly more for
22 their property. The person that doesn't have a view is
23 paying a higher portion of the burden.

24 That's like comparing let's say lakefront
25 properties. Having the same lakefront -- Lakeshore

29

1 Boulevard value, or Vivian, or Pine Cone, whatever, having
2 the same lakefront-per-front-foot value on those as
3 Gonowabie. I think those on Gonowabie probably don't feel
4 their property's as valuable as that on Lakeshore
5 Boulevard, or at least the market would acknowledge that
6 based on prices actually paid.

7 I'm just trying to be objective, and fair, and
8 acknowledge the driving forces of value and account for
9 those in an objective manner.

10 UNIDENTIFIED SPEAKER: About what the views
11 at --

12 CHAIRMAN BROCKMAN: Wait a minute. Wait a
13 minute.

14 UNIDENTIFIED SPEAKER: -- at Arrow Creek.

15 CHAIRMAN BROCKMAN: You haven't been asked yet.
16 You -- you're next.

17 JOHN HIGLEY: First of all, thanks for coming

18 up.

19 CHAIRMAN BROCKMAN: And your name, please.

20 JOHN HIGLEY: John Higley, 525 Lakeshore.

21 Thanks for coming up. I agree with that gentleman. I
22 think when --

23 UNIDENTIFIED SPEAKER: Louder.

24 JOHN HIGLEY: I agree with this gentlemen. I
25 think when the Supreme Court ruled in favor of Rosa Parks

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1 on the bus, they just didn't figure those three or four
2 black people on that bus. They figured everybody that were
3 in that group, and I think that conforms to everybody in
4 this room, as well.

5 Secondly of all, what do we do from here? I
6 mean, how long can you stonewall it until that debt and
7 interest becomes more and more? What does a guy do? The
8 people that live next door to me in the exact same unit are
9 paying half the tax I am. So what do I do? What does a
10 guy like me do?

11 MR. WILSON: I don't disagree with any -- with
12 you at all.

13 JOHN HIGLEY: But you're fighting against us.
14 We're --

15 MR. WILSON: I am?

16 JOHN HIGLEY: No.

17 MR. WILSON: I don't believe I am.

18 JOHN HIGLEY: You've got to go back to your
19 superiors and say, "Why are we fighting this?"

20 MR. WILSON: You are my superiors. I'm in an
21 elected position. The only people I work for are the
22 County Manager and --
23 (Members of the crowd speaking at the same time)
24 CHAIRMAN BROCKMAN: (Bangs the gavel).
25 MR. WILSON: -- for the Taxpayers. That's why
31

1 the Assessor is an elected position, not an appointed
2 position. If it was an appointed position, there would be
3 a tremendous -- more influence. But I work for the
4 taxpayers, and I believe, very strongly, that's why the
5 separation exists, and that's why I am an elected official.
6 Having -- going forward, '06-'07, let's take
7 that, for example. Everybody got rolled back by the County
8 Board last year. The State Board remanded it back to the
9 County Board, and the Village League filed a suit with the
10 Supreme Court, which ties it up. So nobody can say what
11 those values are going to be, because now it is at the --
12 it's at the -- it's at the Supreme Court. The State --
13 County Board has lost jurisdiction of that case, and that's
14 for the mass rollback for last year.

15 For this year, there's approximately a thousand
16 property owners that got a reduced tax bill. Now, do I
17 think it's fair those got a reduction because they filed a
18 petition and never showed up, and someone like yourself
19 didn't?

20 JOHN HIGLEY: I missed the deadline.

21 MR. WILSON: But, again, if they're applicable
22 to some, it's applicable to all. And I'm not -- I've never
23 not said that. I'm working within the statutory parameters
24 that I'm given.

25 So going forward, I'm going to ask the Supreme
32

1 Court for action, and hopefully it comes very soon, to
2 where they can say, "You know what? This is what we did
3 for '03. Until you go out and physically reappraise and
4 change your methodologies, we want this methodology carried
5 forward."

6 Now, I can tell you what the State Board of
7 Equalization rendered on the 300 cases last month, and this
8 is what they did on those cases. On the properties that
9 were subject to one of the four disputed methodologies,
10 they rolled those properties back to '02-'03 levels, and
11 then applied the Tax Commission approved factors, moving
12 those forward.

13 So essentially what happened is they got rolled
14 back, and then in 2005 there was an 8 percent land factor,
15 and in 2006, there was an 2 percent land factor. So what
16 the State Board did is just that. They rendered decisions
17 on 300 properties. Now, they remanded the remaining
18 balance of the -- of the basin back to the County Board
19 because they didn't feel they had a large enough rec -- or
20 any record to base their determinations on. And that's
21 what occurred.

22 JOHN HIGLEY: Well, will there be a new
23 petition that we can fill out now?

24 MR. WILSON: Umm, you can fill out a --
25 something -- and I'm glad you brought that up. I want to
33

1 bring that up. A lot of you are currently filing petitions
2 with our office, and I think you're printing the from the
3 Village League website. That is very fine. I encourage
4 you do that. But what you need to make sure to do is where
5 it says '07-'08, you need to cross that out and put
6 '08-'09, because you've missed the filing deadline for the
7 '07-'08 tax year.

8 And so if you file these all in, and we take
9 them over to the Board, and they're going to do say, "Oh, this
10 seems to be filed for the '07-'08. They've missed the
11 filing deadline." I don't know what they're going to do,
12 but potentially they could toss them out. And I think you
13 folks want to appeal your '08-'09 valuation.

14 Now, I would encourage to let us do our work,
15 so you know what value it is you're appealing, but by all
16 means, I would not discourage anybody from appealing their
17 property valuation.

18 CHAIRMAN BROCKMAN: Okay. In the black shirt.

19 HARRY FAIR: Harry Fair (phonetic), 316 Ski
20 Way. So the Supreme Court held the procedures used were
21 unconstitutional. Have though procedure changed? Are the
22 new procedures, if there are, any approved by the State Tax
23 Board? And do you -- did this happen with your entry into
24 office or by your predecessor's actions?

25 MR. WILSON: Well, there's a -- a few questions
34

1 there. August 4th, 2004 the Nevada Tax Commission
2 authorized regulations that allowed for teardowns under
3 special circumstances, allowed for adjusting for view,
4 allowed for adjusting for market conditions. And the lake
5 frontage is an interesting one, because that's kind of --
6 it says, "physical characteristics of land," and that's
7 what that is.

8 So have -- what's changed? They now have
9 regulations in place authorizing what we essentially did.
10 Now, I know there's disputes in the manner in which we
11 are --

12 HARRY FAIR: What did you before?

13 MR. WILSON: Right, and that's what -- I'm
14 not -- I'm moving forward. I'm moving -- I can't -- every
15 other value that has been established, that -- previous to
16 '08-'09 is tied up in judicial review. I can't go change
17 anything, and I'm assuming, based by some of these court
18 cases and what the State Board's doing, if you're subject
19 to one of the four contested methodologies, you're going to
20 have your value reduced to some sort, and I don't know
21 whether it's the class action that's going to do it, or
22 whether it's going to be the individual petitions that
23 trigger it.

24 But that's water under the bridge. I'm going
25 forward. So going forward, I'm clearly -- what the Supreme
35

1 Court said is not that those methods were inappropriate.
2 They said they were wrong because they were not authorized
3 by Nevada Tax Commission, and the Tax Commission could not
4 ensure that other assessors throughout the state were
5 utilizing those same techniques in arriving at their land
6 values. That's what the Supreme Court said.

7 When you read any appraisal textbook, the first
8 two adjustments to a sale is, first, the conditions of the
9 sale, to see if there's any creative financing. The second
10 adjustment is for time, because markets are always dynamic,
11 and they're changing.

12 So -- and, again, I'm going to try my best to
13 not time adjust -- I want the least number of adjustments
14 as possible. I want to look at a lot of improved sales.
15 Clearly it allows for extraction. It's called extraction
16 in the regulation, but essentially you extract from the
17 total sale price the value of those improvements. What's
18 left over is the land value.

19 So I'm looking at a lot more statistical -- I'm
20 looking at what the Village League, in my opinion, has been
21 asking for a lot, and that's accountability on how we
22 arrived at the values.

23 HARRY FAIR: Have the assessment procedures --
24 CHAIRMAN BROCKMAN: Wait a minute.
25 HARRY FAIR: -- changed?

36

1 CHAIRMAN BROCKMAN: You've asked your question.
2 We've got a lot of other people. Elliott? I think you
3 were next.

4 ELLIOTT WEINSTEIN: Elliott Weinstein, 120
5 Highway 28, Crystal Bay. I just want to follow up what
6 this gentleman said. I think you said your neighbor's
7 40 percent less than yours. What's -- and then you
8 responded that you wanted equal values for all.

9 I'm paying three times of what my next-door
10 neighbor's paying in a small condo. I thought I had sent
11 in my appeal. Apparently I did not. They have all of them
12 but this past year, which -- that's my problem.

13 What's the remedy? What's the remedy for,
14 right now, the '07-'08 year, with one property owner next
15 door to another property owner who's paying three times the
16 valuation for the same size property at the same facility?

17 MR. WILSON: The --

18 ELLIOTT WEINSTEIN: Thank you.

19 MR. WILSON: -- only answer I have to that is a
20 court order. And -- but what I mean -- I don't know how I
21 can impress upon you enough that I don't have authority to
22 change these values.

23 UNIDENTIFIED SPEAKER: Then why are you here?

24 UNIDENTIFIED SPEAKER: Well, who does? Who
25 does?

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1 UNIDENTIFIED SPEAKER: Seriously.

2 UNIDENTIFIED SPEAKER: Why do you get elected?

3 ELLIOTT WEINSTEIN: I mean, this -- do we have
4 an attorney here who knows what the Supreme Court says with
5 regards to equalization? Is there anyone from the Broad of
6 Equalization?

7 MR. WILSON: Yeah, you've got Mr. Krolick here.

8 ELLIOTT WEINSTEIN: Are we -- are we supposed
9 to be paying totally different taxes for similar or the
10 same properties, same values, same location?

11 MR. WILSON: I -- can I follow up on that a
12 little bit?

13 ELLIOTT WEINSTEIN: Please.

14 MR. WILSON: That's very interesting. I think
15 most of you got a hearing notice for a petition that was
16 filed by Maryanne Ingemanson on behalf of everybody up
17 there.

18 And the County Board of Equalization noticed
19 everybody. There was a hearing set, and then a lot of you
20 probably showed up the day of the hearing and to find out
21 the hearing had been cancelled. And guess what happened on
22 that? The Village League withdrew their appeal, so the
23 County Board couldn't act on the whole county. And then
24 they -- I don't know why, but they didn't have an
25 equalization order like they did last year where they did

38

1 do a blanket reduction.

2 So my point is this: Once I publish the values
3 in the newspaper and send it out, it's up to the County
4 Board to equalize, and if not the County Board,
5 subsequently the State Board to equalize, and then
6 ultimately the Court. But I have absolutely no authority
7 to go change any one of your '07-'08 values right now, as
8 much I may want to.

9 CHAIRMAN BROCKMAN: John?

10 JOHN KROLICK: John Krolick, 1410 Federal

11 Drive, Member Washoe County Board of Equalization. My
12 question for Josh is --

13 UNIDENTIFIED SPEAKER: Louder, please.

14 JOHN KROLICK: -- who makes the decision to
15 appeal the County Board's decision? And with that in mind,
16 the -- the State reverting back to the County Board, with
17 its -- the County Board members, because of the time and
18 how long your term is, you now have new members on the
19 Board. It would be impossible for that new Board to sift
20 back through all the testimony given which influenced us in
21 making our original decision, that it -- that process --
22 that meeting had to be stopped, otherwise I was prepared to
23 walk out of that meeting.

24 Thank you. But to follow up, who makes the
25 decision to appeal the --

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1 MR. WILSON: I made the decision so appeal it,
2 because I didn't think your Board made the right decision
3 in reducing a thousand and not reducing everybody up there
4 that was subject to the issues.

5 JOHN KROLICK: The prior year, we did reduce
6 the --

7 MR. WILSON: That was Mr. McGowan. That was
8 Mr. McGowan, Mr. Krolick, and you're very aware of that.

9 CHAIRMAN BROCKMAN: Over there.

10 SHAWN BUCKLEY: Shawn Buckley, 525 Lakeshore.
11 I'm in the same situation as John, here. We live in an
12 association with 50 condominiums. Three or four of the
13 people applied for the petition, and their taxes are more
14 than half of ours for '07-'08. It seems -- we just want a
15 level of fairness.

16 MR. WILSON: I agree.

17 SHAWN BUCKLEY: And you apply -- paint -- paint
18 us all with the same brush when taxes are rising. You have
19 your statistics, and your valuations, and everybody's
20 valued on the way up. Why don't we apply that same
21 fairness on the way down? You lost the decision. Your
22 department lost the Nevada Supreme Court decision. Why
23 don't we apply that same fairness on the way down that we
24 did it on way up?

25 MR. WILSON: I don't know how many times I --
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1 I'm not --

2 SHAWN BUCKLEY: Where do we go from here.then?
3 Where --

4 MR. WILSON: It's before the State Board of
5 Equalization, right now, the '07-'08 hearings. They're
6 going to hear them August 16th and August 17th.

7 SHAWN BUCKLEY: Should we have get a new
8 petition or --

9 MR. WILSON: You could go speak there under
10 Public Comment and ask them to equalize properties if you
11 think that's appropriate means to do it. I don't know.

12 SHAWN BUCKLEY: Okay.

13 MR. WILSON: There's a process in statute that
14 says the appeal deadline for the State Board of
15 Equalization is March 10th. So if you file a petition
16 right now to have the State Board hear your case, they're
17 going to deny it, because it was not (sic) untimely filed.

18 But if you speak under Public Comment and tell
19 them what you're telling me, who may have the authority to
20 actually equalize -- I know they have the authority. It's
21 a statutory authority. They are the ones --

22 SHAWN BUCKLEY: So '08-'09 taxes, when you
23 apply your new formulas, and my neighbor is half of my
24 taxes, are they going to come up? Am I going to come down?
25 How are we going to even that out?

1 MR. WILSON: I'm hoping that they get evened
2 out before that, because the application of the tax cap is
3 going to cap the lower value at 3 percent, and it's going
4 to cap the higher value at 3 percent. So the built-in
5 inequity needs to get resolved.

6 CHAIRMAN BROCKMAN: You're second. Tom?

7 TOM BRUNO: Tom Bruno, 563 Antler Court.
8 Mr. Wilson, you indicated earlier that the median price has
9 been going up, which it has been going up, and then you
10 also alluded to appreciation. Median price increasing is
11 not appreciation. Median price could be increasing because
12 of larger homes, newer homes, better quality homes than in
13 past years. It's not appreciation. If you take, for
14 instance, like McCloud Condominiums at Incline Village,
15 they have decreased in value over the last two years at a
16 rate of anywhere from 2 to 5 percent.

17 The second thing is that you're saying that
18 your hands are tied, but you're still doing work, and
19 you're making decisions on how you're make -- how you're
20 doing your work. Why can't you make the decision to do the
21 work as it was done back in 2002 and 2003?

22 MR. WILSON: The view classification system was
23 in effect 2002-2003. It's been in effect at least back to
24 '93, because I've read a Department of Taxation ratio study
25 that's essentially audit of our department, where it

1 clearly says that we're doing this, and they actually say
2 it's the right thing to do.

3 So going back to '02-'03, I'm not sure what the
4 difference is except for the values were lower. I think
5 you can make a legal argument that the Supreme Court said
6 those values were constitutional because they were factor
7 values, and Nevada Tax Commission approved the factor to be
8 applied to those properties. And so by their approving the
9 factor and establishing it, that by -- I mean, that's what
10 the Supreme Court essentially said, is that '02-'03 was
11 correct because it was a statutory authorized manner of
12 adjusting the value, which was factoring. Well, factoring
13 has been the way we establish the value for '04-'05,
14 '05-'06, '07, '08, '09.

15 But I'm tired of -- I want to move beyond this.
16 And so it's going back and saying, we're going to do it the
17 same way -- we essentially did do it the same way the
18 following year. It's just the numbers went up.

19 CHAIRMAN BROCKMAN: Yes, sir.

20 BOB LAWRENCE: Bob Lawrence, 891 Dyer Circle.
21 This is just for information, because I'm not quite sure.
22 I don't have the knowledge, but to follow up on this
23 gentleman's question, as far as view classification, we
24 seem to talk about all the nice views up here in Lake
25 Tahoe, but what about -- is the form going to apply to

1 Arrow Creek --

2 MR. WILSON: Yes.

3 BOB LAWRENCE: -- and all those? Has it been
4 applied --

5 MR. WILSON: Yes.

6 BOB LAWRENCE: -- in the past to those
7 locations?

8 MR. WILSON: We're reappraising two areas this
9 year, Area 5 and Area 1, and we were implementing that
10 form. This form was just established last year or late --
11 it was part of the Lake Tahoe Special Study that the
12 Department of Taxation conducted. This form was utilized
13 by the Douglas County Assessor, who was testified under

14 numerous hearings that it works very well.

15 So I'm taking the form at face value, that was
16 developed by the Nevada Tax-- or developed by the
17 Department of Taxation, who said it worked very well,
18 who -- that was re-enforced by the Douglas County Assessor,
19 who said it works very well.

20 And, yes, I absolutely am going to fill that
21 form out for the properties -- the view properties at the
22 lake, as well as the view properties down in the valley.

23 BOB LAWRENCE: And this will be the first year
24 that that, in fact, has occurred, right? It hasn't
25 occurred in the past?

1 MR. WILSON: I think that's what the Supreme
2 Court said. It said we had a different classification
3 system down here that is different than down in the valley.
4 It does not mean that we did not acknowledge view in the
5 valley. It's just up here it was a view classification
6 system of Lake Tahoe.

7 CHAIRMAN BROCKMAN: Okay. Maddie?

8 MADDIE SYLVESTER: Maddie Sylvester, 899
9 Southwood. You know, you're up there and explaining about
10 what's happened in the past, and really you keep saying,
11 "my role is the future. I've got going to do with it."

12 MR. WILSON: No.

13 MADDIE SYLVESTER: Do you sincerely believe
14 that the guy that was there before you didn't goof? It
15 strikes me that all of this talk that the courts have told
16 us that your predecessor made a lot of mistakes.

17 MR. WILSON: Right.

18 MADDIE SYLVESTER: Okay. Did they -- do you
19 agree with that, is all I'm asking? What basis are you
20 starting from? You made a statement just now that all of
21 the value of 2002-2003 was too low. Well, isn't that
22 according to the --

23 MR. WILSON: I never said that.

24 MADDIE SYLVESTER: You just said that. Anyway,
25 if that's according to the law, then maybe we should be

1 lower. The fact that now you're trying to justify history,
2 why don't you stop right here and say, "Okay, I'm going to
3 follow what the law said, and what the law is," and not
4 start defending the mistake that was made by your
5 predecessor.

6 (Cell phone ringing)

7 MR. WILSON: And I'm not trying to defend
8 anything. What I'm trying to do is comply with NRS
9 361.227, which is the statute that tells me what to do.
10 And it says I am to determine the full cash value of land,
11 which is very synonymous with the market value of land. So
12 that means if the neighbor on both sides of you -- if there
13 are vacant lots on either side, and they both sold for the
14 similar price, that is a very good indication as to what
15 your property value is.

16 And that's all we're trying to do. We don't
17 create this market. That's the buyers and sellers who
18 participate and negotiate a price. But I have to try to
19 analyze those prices actually paid and establish a value
20 based on the prices paid in the market, and it's what the
21 law tells me to do.

22 MADDIE SYLVESTER: Yeah, but you're talking
23 about appraised value, not tax value. Your -- your
24 responsibility is tax value.

25 MR. WILSON: That is what it tells me for the

1 tax value --

2 MADDIE SYLVESTER: It doesn't say it has to be
3 appraised value, otherwise we wouldn't be even talking
4 about it.
5 MR. WILSON: Yes. It does. On the land, it
6 absolutely does. The land is supposed to be a market
7 value. That's what --
8 CHAIRMAN BROCKMAN: Time is up, Maddie.
9 MADDIE SYLVESTER: Okay. Thank you.
10 CHAIRMAN BROCKMAN: Now, here in the second
11 row.
12 GEORGE HURWITZ: Yeah, George Hurwitz,
13 H-u-r-w-i-t-z, 507 Lakeshore Boulevard, Crystal Shores
14 Villas Condominiums.
15 My question is a question going forward. On a
16 valuation of lakefront homes versus lakefront condominiums,
17 in 2004, I presented a written paper and document, which I
18 will give to the hearing today, documenting that our
19 lakefront condominiums land was overvalued compared to
20 adjoining lakefront home properties.
21 And I documented this by the value of the land
22 and how much money was -- was appraised for the various
23 condominiums in our condominium. And I concluded that our
24 condominium was overvalued by a million dollars. I
25 presented this to the Washoe County Board of Equalization,
47

1 and they did not pay any attention to it.
2 So I'm going to present this document as part
3 of this meeting, but I would like your opinion on how you
4 value lakefront condominiums versus lakefront home
5 properties, going forward.
6 MR. WILSON: Going forward, it's --
7 condominiums are going to be valued using statistical
8 analyses. I'm going to look at allocation, which is the
9 way it's traditionally been done, to where, if I remember
10 correctly, if you're on the lakefront, the allocation ratio
11 determined was 50 percent of the sale prices that were
12 carrying on the lakefront properties, and the non-lakefront
13 properties, on condominiums, there was a -- a 25 percent
14 allocation ratio applied to those properties.
15 Now, going forward, I'm going to test to see if
16 that ratio is still applicable, and the manner in which I'm
17 going to test that is abstraction. That's what Clark
18 County does. Clark County has three-quarters of the
19 state -- parcels in the total state, and that's what they
20 essentially do. They take the selling price of the unit.
21 They subtract the contributory value of the improvements,
22 and what's left over is land.
23 CHAIRMAN BROCKMAN: Thank you. Could I see --
24 check signals a little bit. How many more people want to
25 ask questions?
48

1 (Show of hands)
2 CHAIRMAN BROCKMAN: Okay. Frank, you're next.
3 FRANK WRIGHT: Hi, Josh. My name is Frank
4 Wright, 36 Wassou. In 2002 -- or it was 2003 I appealed
5 the State Board of Equalization, my property tax value on
6 my land, because I did an analysis on my land and found out
7 that my taxable property value -- the assessment on my land
8 was \$476,000 per acre. My land is not lakefront.
9 Across the street, my neighbor's property was
10 lakefront. Their's was assessed at \$211,000 per acre. I
11 got a reduction in my taxes based -- because it's the --
12 the State Board of equal gave me a reduction and voted in
13 my favor and said, yes, so I got a reduction.
14 At that point, when does the information come
15 back to you where you go, "Whoa, we've got on problem
16 here?" My neighbors are still paying taxable value of

17 \$476,000, on the same size lot, same size property, right
18 next to me, and is not lakefront.
19 Another person has another lot that's up higher
20 away from mine, that's even higher than mine, five-some --
21 five-twenty, I think, per acre. Now, my question to you
22 is: You say you want to do something, but it's been 2002,
23 and nothing has been done for my neighbors. They are still
24 sucking in, no one -- and they didn't have the -- the --
25 their form fills in on time. They didn't get to the -- to
49

1 the Equalization and didn't go to -- to Washoe County
2 first. They see that one, and so then they go down to the
3 State Board of Equalization and appeal it. They missed the
4 deadlines, but that isn't the problem here.
5 The problem is you have people who are being
6 assessed unfairly. They're being treated unfairly.
7 They're being assessed, like this lot, at three times what
8 this lot is, and they're right next to each other, and
9 they're identical properties, or they've very similar
10 properties.
11 And nothing is being done at the Assessor's
12 Office, who walks out and walks our parcels and says, "Hey,
13 wait a minute." Now, you came out to my deck, and you and
14 I talked. We looked at my view classification, back then,
15 and I said, "Hey, how can I get this view classification,
16 and this person has a much higher one -- or lower one than
17 mine? We have the exact same view?"
18 You said, "I agree with you." You walked up to
19 my deck. You looked. You said, "You're right." And I
20 said, "This is ridiculous." You have a problem here,
21 because it's all objective on how you look. And I had a
22 lady tonight tell me, she said, "What if the guy who lives
23 in the house is blind?"
24
25 (Applause)
50

1 UNIDENTIFIED SPEAKER: That's beautiful.
2 CHAIRMAN BROCKMAN: Okay. Your two minutes are
3 up. Comedian.
4 In the front row, Les?
5 Yeah, good evening. I'm Les Barta, 812 Jeffrey
6 Court. Josh, you spent about a half an hour, maybe 20
7 minutes, up here, pretty much defending the Assessor's
8 Office. And, you know, talking about the legal projects,
9 that -- you know, the Court decisions and so forth.
10 I don't have half an hour, 20 minutes. I only
11 have two minutes. All I can say, first of all, is that I
12 can't believe what I heard. Almost everything you said
13 it's either twisted or wrong, first of all.
14 Secondly, if you're confused about the Supreme
15 Court decision, let me help you a little bit.
16 MR. WILSON: Sure.
17 You remember that last year Judge Maddox, twice
18 in his order, said that the values were unconstitutional
19 and void for all of Incline Village and Crystal Bay. Do
20 you recall that? In the Maddox order, twice he said that.
21 The Supreme Court came out and upheld the Maddox order in
22 full and said that the values had to be reduced as the
23 District Court determined.
24 The problem is very simple. The values in
25 Incline Village and Crystal Bay are unconstitutional. It's
51

1 not a matter of too high or too low. They're
2 unconstitutional. That doesn't take much more thinking
3 than to realize that the whole area is out of equalization.
4 The whole area is unconstitutional.

5 You don't have to go back and start nitpicking
6 about how many parcels does this apply to, you know, who
7 gets this and who doesn't get this. The whole area is
8 unconstitutional. You reduce those values the way the
9 District Court said and quit arguing about it. That's the
10 first thing I wanted to tell you.

11 The second thing is -- I guess we'll discuss it
12 tomorrow, but if you're using the regression method as
13 these other methods that you want to put into the
14 regulations tomorrow, they haven't even been approved yet.
15 So how are you going to go about using these methods if in
16 they haven't been approved by the Tax Commission yet?

17 MR. WILSON: That's a very valid point, Les.
18 And what am I to do? I would like to know what your
19 suggestion is on how I value properties up here, because,
20 you know, I have to reappraise it this year. And that's
21 what I always get. "You're doing this wrong. Doing this
22 wrong. You're doing this wrong."

23 I'm looking for solutions to problems, Les. I
24 know what the problems are, and I need to value the
25 property. So what am I to do?

52

1 Let me make a discussion, Josh. Why don't you
2 try to follow the regulations -- you know, the Department
3 of Taxation tried this. They spent 18 months doing it.
4 You're saying you're going to do abstraction. And where
5 are you going to get the statistics if the Department
6 couldn't do it?

7 I mean, you have to try to follow the
8 regulations. I would suggest, strongly, that you hire --
9 and we've told you this time and time again -- hire some
10 help, get some consultants to come out here and show you
11 how to do this properly. If the Department of Taxation
12 couldn't do it, if you haven't been able to and have
13 refused to make changes over the last four years,
14 absolutely refused to make any changes, your Department,
15 the Assessor's Office, go and get open help and get it done
16 right.

17 MR. WILSON: I agree with you a hundred
18 percent, Les. I'm taking a class from --
19 (Applause)

20 CHAIRMAN BROCKMAN: The lady here?

21 MR. WILSON: I'm taking a class from
22 Mr. Gluteman (phonetic), who is partners with Mr. Almy
23 (phonetic), who I believe is the regression specialist that
24 at the Village League would like to have come out to value
25 the property out here.

53

1 I a hundred percent support it. I would
2 encourage you to contact your County Commissioners to
3 provide funding to do so.

4 My name is Grable Ronning, and I live at 400
5 Gonowabie.

6 MARYANNE INGEMANSON: You have to speak louder.

7 UNIDENTIFIED SPEAKER: Speak up.
8 400 Gonowabie Road. My question would be is:
9 Why is there such a grave disparity between the way Douglas
10 County assesses their properties and the way Washoe County
11 assesses their properties at the lake and has remained so?
12 And why did I look at property in Douglas that is more
13 expensive than mine that is more like the 2002-2003 value,
14 were lower, in other words. Everything that I've seen over
15 there is.

16 MR. WILSON: Well, this is what I -- I can't
17 speak for the Douglas County Assessor. Traditionally, I
18 believe they were a little lower. However, they have
19 reappraised in the last couple years, and the data that I

20 was looking at looks like they raised it up to, roughly,
21 again, 60 percent of market value. I mean, that's the only
22 way I know how to measure equalization, is that you're
23 paying tax on a relative proportion of your market value.

24 Now, having said that, you'll look at tax bill
25 comparisons, and the issue with that is the implementation

54

1 of the property tax cap. Douglas County got reappraised
2 after 2004, which is the base year for the property tax
3 cap. So regardless, you -- the Douglas County comparisons
4 that I looked at, that Ms. Ingemanson's passing around, as
5 a comparison, at various Republican functions and whatnot,
6 on some of these examples their abatement is larger than
7 their tax bailing that they're actually paying. And it's a
8 function of the timing of the abatement, and that your tax
9 bill only being able to go up 3 percent a year.

10 Now, I think this is a very strong issue that
11 I've asked the State Board to look at. And I've -- they're
12 looking at equalization as a matter of assessed value in a
13 sales ratio study. I think the fairest way -- Article X of
14 the Constitution says you don't form rate of assessment and
15 taxation. We're all here because of the taxation side. I
16 want your tax bill divided by the sale price of the
17 property. What that represents is an effective tax rate,
18 and that tells me whether or not you're paying a similar
19 effective tax rate in Washoe, in Clark, in White Pine, in
20 Douglas.

21 Just to finish this, they haven't gone up.
22 They're not 60 percent of the value. And you're right
23 about the cap, but then that makes them -- you know, we're
24 not paying equal taxes then bill.

25 MR. WILSON: Yeah.

55

1 We're paying a bigger burden.

2 MR. WILSON: How does it satisfy Article X? I
3 don't know.

4 And I mean, you know, this is really pretty,
5 you know, macro, as far as the entire state goes, what's
6 going on here.

7 CHAIRMAN BROCKMAN: Thank you, Grable.
8 Maryanne?

9 MARYANNE INGEMANSON: Maryanne Ingemanson,
10 1165 Vivian Lane. I have two or three possible questions.

11 One, you mentioned that you really couldn't do
12 anything become the taxes once they've been turned in.
13 However, it's my understanding that you were the one that
14 did appeal to the State Board of Equalization for the
15 '07-'08 year.

16 You can withdraw your appeal. Is that not
17 correct?

18 MR. WILSON: That's correct, but then we would
19 have a thousand property owners out of equalization with
20 the remaining 9,000 residential property owners, and I
21 would like to bring this to the attention of the State
22 Board and see if there's anything that they feel they
23 should do with it.

24 MARYANNE INGEMANSON: But what you're
25 appealing, actually, is the reduction that we got for the

56

1 thousand, and you'd rather have them raised up to the
2 two-oh-seven people that did not get that reduction. Is
3 that not correct?

4 MR. WILSON: At the point that the petition was
5 filed, there was a larger majority of properties that were
6 not rolled back, and those thousand, in my opinion, were
7 out of equalization with the remainder of the residential

8 properties in Incline Village.
9 MARYANNE INGEMANSON: And the same goes for the
10 '06-'07 properties, where Mr. McGowan appealed the 8700
11 that actually had gotten a reversal, and that appeal also
12 could not -- or could have been withdraw. Is that correct?

13 MR. WILSON: I don't know.

14 MARYANNE INGEMANSON: Yes -- I can answer my
15 own question. Yes, it could it certainly could have.

16 And in Douglas County -- and you mentioned the
17 paper that had been passed around. For those who have not
18 seen the paper, it's a comparable of my home as to three
19 other properties in Douglas County. And the most
20 comparable in Douglas County to my home, here, and similar
21 tax values, pays \$10,000 approximately in taxes per year.
22 I pay \$75,000 in taxes per year.

23 (Cell phone ringing)

24 MARYANNE INGEMANSON: And I know you had the
25 Douglas County Assessor check my numbers, and they were

57

1 right-on-spot. So when you're saying Douglas County is
2 just a difference in the tax rate, I think that's a
3 deceiving comment. I don't think that that's the
4 difference. The difference is seven times -- seven and a
5 half times.

6 And going up three percent a year, simply -- if
7 you do the simple math, exacerbates the problem. If you go
8 3 percent up on a million dollars it goes up this much
9 (indicating). If you go up 3 percent on a little one, it
10 goes up that much (indicating). So the difference
11 continually gets worse, not better, with the 3 percent tax
12 cap.

13 CHAIRMAN BROCKMAN: That's the time, Maryanne,
14 yeah.

15 MARYANNE INGEMANSON: Can I ask a question of
16 Rigo?

17 CHAIRMAN BROCKMAN: After we get through
18 with -- with everybody else, you may.

19 MARYANNE INGEMANSON: Sure. Okay. All right.
20 Thanks.

21 David Kavalew, K-a-v-a-l-e-w, 409 2nd Tee. I
22 came here tonight mostly because of what I read, and I saw
23 something from the Village League about a recent support --
24 Supreme Court ruling that I understood from the Bonanza,
25 and -- and from this -- from the emails -- said that the

58

1 Supreme Court has now taken what was granted to the 17 and
2 applied it to everybody.

3 Now, what I heard you say, Mr. Wilson, was
4 nothing like that. So I'd like to ask if what I heard you
5 say was nothing like that, and maybe if there's time,
6 someone with more expertise than -- maybe someone from the
7 Village League could speak to their understanding, because
8 I'm confused.

9 MR. WILSON: Sir, I was trying to read excerpts
10 from Court decisions. I'd be happy to provide any and all
11 of these Court decisions to any person. I'm reading what
12 the Court said.

13 Well, maybe I could -- maybe you could
14 interpret it differently, or would the Board allow them to
15 comment?

16 MR. WILSON: I think their position is that
17 I'm --

18 CHARLES McNOWLEY: Charles McNowley, 2674
19 Tramway. I think your interpretation and the Supreme Court
20 are two miles apart. That's all I want to say.

21 CHAIRMAN BROCKMAN: Oh. Yes.

22 EDGAR WYMAN: Edgar Wyman, 1140 Vivian Lane. I

23 have questions of a slightly different nature perhaps. I'm
24 listening to all the learned discussion tonight, and I do
25 have the opinion that you probably haven't convinced a lot

59

1 of people here about your position.

2 And I think that what that really reflects in a
3 sense is a crisis having to do with government and how you
4 function as government. And it seemed to me that the first
5 Supreme Court decision was an ominous sign for government.
6 And the more recent Supreme Court decision is a much more
7 ominous sign for government.

8 (Cell phone ringing)

9 And what I was wondering is: Based on the
10 first set of decisions that came out, what effort did the
11 assessors across the state make to come together to say,
12 "We've got a really big problem. How are we going to
13 address that problem?"

14 And to go beyond that, what did the politicians
15 do, for example, the Governor, to draw together the
16 important people in this state who are going to have to
17 address this issue? Because there is a potential financial
18 cataclasm here on the horizon. That's my question.

19 CHAIRMAN BROCKMAN: Take a minute. I'd like to
20 ask everybody in this room to please turn off your cell
21 phones or leave the room. If you're not willing to turn it
22 off, please excuse yourself.

23 MR. WILSON: I can answer the first question.
24 I can't answer the second. I mean, I can, but I don't know
25 if it's appropriate.

60

1 The Assessor, as to the Washoe issue, I don't
2 want to touch it with a 10-foot pole. I've tried to get
3 consensus. We're going to have a meeting tomorrow and --
4 and work on regulations. And, again, it's -- it's the way
5 it is.

6 The politicians, well, I'm not aware of
7 anything that was conducted. They were aware of it. They
8 were aware that it could have 50 million-dollar potential
9 windfalls. I've heard that there's 70 million now,
10 according to what I read in the Bonanza. I don't know if I
11 can -- I don't know else I can say to that.

12 I appreciate the answer.

13 CHAIRMAN BROCKMAN: Dale?

14 Dale Acres, 815 Ellen Court.

15 Josh, you know from our attendance at all these
16 workshops in the past --

17 UNIDENTIFIED SPEAKER: Speak up. We can't
18 hear.

19 My pet peeve is the teardown issue. We
20 established a new rule that the Assessor was supposed to
21 follow in 2004 regarding teardown issues. We're taking a
22 teardown -- a couple of teardowns and disregarding the
23 value of the homes and establishing the land values for
24 miles around, based on these teardowns and probably
25 speculators, and the value of the land may never, ever

61

1 reach what your office has said it would be.

2 So no private assessor or private appraiser
3 would ever use that method to value land, lots that are
4 three miles way, three and a half miles way, as your office
5 has been doing.

6 And my question is: Are you going to follow
7 the regulations from August 2004, which are very specific,
8 very detailed, or are you going to continue using these
9 teardowns in an unusual way to overvalue land prices?

10 MR. WILSON: Well, Dale, I think it's a loaded

11 question. I think you know what the answer is, but I will
12 answer it. I'm hoping to rely on the improved sales, and
13 let those dictate the indications of land value and not
14 have to rely as heavily on the teardown sales.

15 Now, having said that, I would be happy to sit
16 down with anybody to see what is the appropriate value, to
17 subtract, that represents the contributory value of the
18 improvements that is no longer standing. Now, whether you
19 wanted me to subtract the depreciated replacement cost on
20 the roll from the sale price -- I'd be happy to do that.

21 I don't -- but in absence of the vacant land
22 sales, it's -- extraction in text books say it works best
23 at two points: When the property is new, and you have
24 actual construction costs, to subtract from a sale price,
25 or when the property is old, and the contributory value of

62

1 that improvement is somewhat minimal.

2 And what I'm hearing here -- and I just want to
3 follow up a little bit, and this is the quandary I find
4 myself in. We all know there's not a lot of vacant land
5 sales. I think there was one that occurred at the
6 beginning of -- Wayne's lot sold this year, but there's not
7 a whole lot of vacant lots available up here. So we've got
8 to look for alternative approaches.

9 What I understand Mr. Barta to say is that
10 there's no process involved for you to do any of the other
11 methodologies. So if I don't have vacant land sales, and I
12 don't have the procedures in place or approved to utilize
13 extraction, and if allocation is only applicable for
14 substantially similar properties, how do I value the land
15 that I am -- I have to value the land.

16 I understand that. My one quick point is
17 that --

18 CHAIRMAN BROCKMAN: You've used up your time,
19 Dale.

20 All right.

21 CHAIRMAN BROCKMAN: There was a -- he's gone.
22 Wayne?

23 Yeah, Wayne Fisher, Pelton Lane. I'd like to
24 disagree with you on one specific thing you said.

25 CHAIRMAN BROCKMAN: We're not -- excuse me.

63

1 We're not here to argue. We're here to ask questions,
2 Wayne.

3 Well, I'm disagreeing and asking him a
4 question. You said you do not have the power to reduce
5 after the numbers come out in December.

6 I'll give you a case in point. In 2002, all of
7 the Mill Creek properties were valued at two-twenty-five.
8 2003-2004, the Assessors raised it all to 400,000. The --
9 Ina Hop (phonetic) came in, challenged that appraisal, and
10 you reduced not only her property to three-twenty, you said
11 okay -- or your office, in conjunction with the Washoe
12 County Board of Equalization, reduced every property in
13 Mill Creek to two -- three-twenty.

14 So I disagree with you, and why can't you do
15 that, going forward, when you reduce property in one area,
16 reduce equal properties in the same general area at the
17 same time? Because you've already done that between the
18 Assessor's Office and the Board of Equalization.

19 MR. WILSON: I think the key is what you --
20 your last statement, "and the Board of Equalization." They
21 could have -- they could have denied the recommendation
22 that we put forth for Mill Creek. It is the Board of
23 Equalization. We can go with the recommendation, but it is
24 Board of Equalization that establishes the value.

25 But you normally -- the Assessor's Office

1 normally makes the presentation. You request it, and I
2 think that's what you did, and they agreed with it.

3 MR. WILSON: All I can say, Wayne, it was a
4 whirlwind the first four weeks in office, of what I had to
5 deal with.

6 Now, this was 2002-2003.

7 MR. WILSON: But I think you're implying that I
8 should have made a recommendation to the 2007 County Board
9 of Equalization. Am I wrong?

10 Yes. That's correct.

11 MR. WILSON: Okay.

12 CHAIRMAN BROCKMAN: Mark? Did you have your
13 hand up, mark?

14 UNIDENTIFIED SPEAKER: No, I was pointing to
15 this gentleman. He's had his hand up all along.

16 CHAIRMAN BROCKMAN: Oh. Okay. All right.
17 Well, then, that gentleman?

18 Yeah, the little guy, here. Griff Harries, 547
19 Coal Circle. I had a visit yesterday afternoon from Corey
20 Delguice, D-e-l-g-i-u-c-e, Italian, from the Washoe County
21 Assessor's Office. And she was there to assess the view
22 category for my home. And she was working off of a sheet
23 of paper that had the title across the top that said, "View
24 Evaluation."

25 And this wasn't at all the same as what we had
65

1 in the past evaluations or the past assessments. There's
2 no more book of pictures -- of poor quality pictures as
3 taken from living and dining rooms.

4 And she didn't want to enter the house. She
5 just walked around the house. She was at the -- at the
6 lakeside of the house and -- and at both sides of the
7 house, and -- and then she was to eyeball the structure and
8 to see how much better or worse -- I mean, could the view
9 be improved by being up one or two stories, as the case may
10 be.

11 That -- I mean, not from going there, but --

12 CHAIRMAN BROCKMAN: Could you get to your
13 question please, Griff?

14 Yes, sir. The question is -- and I must say
15 that when she looked at it, she said, "Well, I think you
16 have a 90-degree view of the lake." And I looked at it,
17 and I said, "Geez, 90 degrees, that's sort of like a
18 quarter of a circle." And she says, "Oh, well, I guess
19 maybe 60 degrees." And I said, "Well, that's okay. I'll
20 go with that." But you know --

21 CHAIRMAN BROCKMAN: Thank you.

22 That was --

23 CHAIRMAN BROCKMAN: You've used up your time.
24 Thank you.

25 You're welcome. Any time I can do that for

66

1 you.

2 MR. WILSON: Well, if I could respond briefly
3 to what he had to say, this is -- in an effort to have some
4 sort of structure to the manner in which we evaluate the
5 view, consistent with the August 4th, 2004 regulations that
6 were adopted, it said that we can't determine the view from
7 the structures any more. It prohibits us from determining
8 the view from the house.

9 It says we've got to stand on the land. So the
10 Department of Taxation developed this form that we are to
11 utilize, standing on the ground to evaluate the view. I --
12 I mean, again, is it a consensus of this group that all
13 property values, whether you're in the east slope, Crystal

14 Bay, or west slope, should have the same exact land value
15 with no view adjustment? I'm trying to find a way to
16 measure that, and I'm using a form that was developed by
17 the Department of Taxation.

18 CHAIRMAN BROCKMAN: Okay. Thank you.
19 Now Mike?

20 Mike Chamberlin, 230 Glenn Way. Gentlemen,
21 thank you for coming up. I -- I know you knew you were
22 coming into a lion's den here.

23 My -- I have two thoughts. One, a suggestion,
24 and that is to get a backbone and write a white paper to
25 say, "This is how we think it should be done." You guys

67

1 are the experts. You're the assessors. You've gone to
2 school. You've done all of that stuff. Put a white paper
3 together that takes a lot of what Les and Maryanne have
4 said, what you believe is right, and how we should be
5 valued, and do that, so that at least there is something
6 out there that we can all look at and say, "Hey, these guys
7 are really trying to work for us and with us." That's the
8 first thing.

9 The second thing, I live in a gated community,
10 and my assessment went down, so I'm appreciative of that.
11 I did file it on time. But my question is: Are you
12 actually going out and walking these gated communities, as
13 well, and trying to determine views, and how we are being
14 dealt with, or just the sales price, which it was
15 originally or seemed to be? Excuse me.

16 MR. WILSON: This is in Crystal Bay?

17 UNIDENTIFIED SPEAKER: No. It's here in
18 Incline.

19 MR. WILSON: Incline. Okay. Of course, we
20 want to physically inspect all the properties that have a
21 view characteristic, or view influence, or even not. We're
22 walking all the parcels this year to make sure our
23 improvement records are correct. So we found, sometimes,
24 that getting access through those gates is not the easiest
25 thing to do, but we will make every effort to do so. If

68

1 you have any suggestions as to how we can --

2 Everybody in town knows ours is
3 pound-one-two-three-four.

4 UNIDENTIFIED SPEAKER: Well, they do now.

5 CHAIRMAN BROCKMAN: Okay. I want -- I'm going
6 to take two more questions. We've been well over an hour.
7 We've got 24 people that have asked questions.

8 The lady, and then you, and then we're going to
9 call a halt.

10 UNIDENTIFIED SPEAKER: I'll defer to somebody
11 else.

12 CHAIRMAN BROCKMAN: Okay. The gentlemen over
13 here.

14 Yes, Ward Williams, 840 Golfers Pass Road.

15 The question I have is -- well, first, the
16 statement is -- well, let's start with the question. Are
17 you a firm believer that what has happened in the past and
18 currently is improper, as an assessor?

19 MR. WILSON: Improper from what --

20 From the assessments?

21 MR. WILSON: Whether or not these --

22 The procedures that you have been using, are
23 you in agreement -- as being a new guy on the block, are
24 you in agreement that it was wrong, in spite of what -- in
25 favor or disfavor of the Supreme Court decision, as a

69

1 professional assessor?

2 MR. WILSON: In my professional opinion as an
3 appraiser who has an extensive training in appraisal, do I
4 think the values were ever demonstrated to be excessive and
5 above the market value of the land? I never saw any
6 evidence presented to the County Board of Equalization that
7 would indicate that.

8 Now -- but to say that we did something wrong?
9 Absolutely. That's what the Supreme Court tells us, we did
10 something wrong.

11 All right. Then let me ask another question
12 before that question.

13 CHAIRMAN BROCKMAN: Fifty seconds.

14 A statement. I -- there must be a -- well,
15 obviously, checks and balances from your office, to the
16 next level, whether it be the Tax Board, to the next level,
17 the Board of Equalization, the next board, the County Board
18 of the Supervisors or whatever. There must be checks and
19 balances. By your own statement, you said that the checks
20 and balances had not worked. That's way gathered you said
21 two hours ago.

22 My question is: How do we know and how can we
23 be assured that whatever decisions you ultimately make and
24 reassessments -- the formula of reassessments is correct?
25 And who is to oversee you? And who is to oversee the ones

70

1 that oversee you, that obviously has failed at this point?

2 MR. WILSON: Right.

3 CHAIRMAN BROCKMAN: Your time is out. Thank
4 you.

5 MR. WILSON: And that's exactly what the
6 Supreme Court identified, was the failure of the Nevada Tax
7 Commission, through the Department of Taxation, or perhaps
8 not through -- maybe in conjunction with.

9 NRS 361.215 says the Department of Taxation
10 shall -- I don't know the -- consult and assist the County
11 Assessor in developing the standards used for appraisal and
12 reappraisal. So the ultimate authority who looks at the
13 work of all the county assessors throughout the state is
14 the Department of Taxation.

15 The Executive Director of the Department of
16 Taxation is the Secretary to the Nevada Tax Commission.
17 The Nevada Tax Commission oversees the Department of
18 Taxation as well as all taxation issues. So that is the --
19 that is what the Supreme Court indicated was incorrect.

20 CHAIRMAN BROCKMAN: Okay. I'm going to have
21 allow Maryanne the last question of Mister --

22 MARYANNE INGEMANSON: Mr. Lopez.

23 CHAIRMAN BROCKMAN: Lopez? And I don't want
24 him to come all the way up here --

25 MARYANNE INGEMANSON: No. I --

71

1 CHAIRMAN BROCKMAN: -- just for nothing.

2 MR. LOPEZ: I'll defer to Josh. He's doing
3 just fine.

4 MARYANNE INGEMANSON: This is actually quite a
5 simple question, but I -- I heard a number of people
6 talking about petitions, and Josh had mentioned that they
7 were getting petitions off our website, which was
8 absolutely true.

9 However, Mr. Turner talked to you, Rigo, and he
10 said that you said -- and I would like to know if this is
11 "yes" or "no" -- that next year the petitions for appeal
12 will have to be picked up at the Assessor's Office, and
13 they will all be numbered? Is that correct?

14 MR. LOPEZ: No. That's -- that's not correct,
15 and if that's the impression I left him with, I apologize.

16 Any time that we receive a phone call -- and

17 I've received several phone calls in the last couple weeks.
18 If a taxpayer is requesting a petition, I will make sure
19 that we have the mailing address correct. We note the
20 parcel number, so that we can attach that to the file, and
21 on such a such date we mailed -- or we even fax appeals if
22 it's better for the property owner to receive it in a fax.
23 But by no means do you have to come to our
24 office to receive it. We either mail it or fax it.
25 MARYANNE INGEMANSON: That -- I'm delighted

72

1 with that answer. Can you put in it on your website?
2 MR. WILSON: Yeah, and let me answer that,
3 because this has been an issue that I've been battling with
4 the Department of Taxation over. They're telling me I
5 can't.
6 MARYANNE INGEMANSON: I know. In the past you
7 have not been able to.
8 MR. WILSON: Right. I would like to have that
9 available on our website, yes.
10 MARYANNE INGEMANSON: All right. And do you
11 think that you will have it available on the website?

12 MR. WILSON: I don't see what ramifications can
13 come against me for putting it on the website.
14 CHAIRMAN BROCKMAN: Josh, do you want to make a
15 closing remarks, statements for any reason, or have you
16 exhausted yourself?
17 MR. WILSON: I don't know. I want to answer
18 everybody's question. I really am not trying -- I'm not a
19 bad person. I've lived in this area my whole life, not in
20 Incline, but in the Reno-Sparks area.
21 I took this job to protect -- I've worked for
22 the County since I was 15 years old. I know to a lot of
23 you that may be a detriment, because I'm a lifetime
24 bureaucrat, but to me I'm very hard proud of that. I
25 worked my way through school and college. I'm a very hard

73

1 working person. I took this job to do what was right, and
2 I want to do the right thing.
3 (Applause)
4 UNIDENTIFIED SPEAKER: Can we get a telephone
5 number where we call, so we don't have to go through a
6 phone tree to get that form?
7 MR. WILSON: Yeah. I can give you a number
8 right now. The number of the Appraisal Division is
9 328-2233, and --
10 UNIDENTIFIED SPEAKER: Do we push any numbers
11 or are we talking to a person?
12 MR. WILSON: No, you'll take to person. We
13 don't have the automated stuff at our office.
14 UNIDENTIFIED SPEAKER: Can you repeat the
15 number, please?
16 MR. WILSON: And 2234 is Mr. Lopez's number.
17 And I encourage any of you -- my extension is 2203. That's
18 my direct line. I do answer it if I'm there.
19 UNIDENTIFIED SPEAKER: Repeat the numbers one
20 more time.
21 MR. WILSON: 328-2233 for the general Appraisal
22 Division. They will take down your information. They may
23 transfer you to the Real Property Division. I don't know
24 their number off the top of my head. For Mr. Lopez' direct
25 line it's 328-2234, and my direct line is 328-2203.

74

1 UNIDENTIFIED SPEAKER: Thank you.
2 CHAIRMAN BROCKMAN: Okay. We're ready to take
3 a three-minute break. I suspect some of you are not
4 interested the in the rest of our meeting.

5 (Proceedings continue after a break at 8:50 p.m.,
6 not reported and not transcribed herein)

75

1 REPORTER'S CERTIFICATE

2
3 STATE OF NEVADA,)
4) ss.
5 CARSON CITY.)

6 I, CARRIE HEWERDINE, Official Court Reporter
7 for the State of Nevada, do hereby certify:
8 That on Wednesday, the 1st day of August, 2007,
9 I was present at 893 Southwood, Incline Village, Nevada,
10 for the purpose of reporting verbatim stenotype notes the
11 within-entitled public meeting;
12 That the foregoing transcript, consisting of
13 pages 1 through 76, inclusive, includes a full, true and
14 correct transcription of my stenotype notes of said public
15 meeting.

16
17 Dated at Carson City, Nevada, this 4th day of
18 August, 2007.

19
20
21
22
23 CARRIE HEWERDINE, RDR
24 Nevada CCR #820

76

Note from the Nevada Property Tax Revolt Webmaster, Wayne Fischer.
This document was reformatted to significantly reduce the number of printed
pages. Contact Maryanne Ingemanson for a properly formatted transcript
document, if such is needed. August 8, 2007