MINUTES
Board of Equalization and Review
June 23, 2016

Board Members Present:
Jennifer Marsh, Chair
Pamela Davis
Patricia Roberts

Staff Members Present: Roger Gunn, Chief Appraiser
Kandice Wright, Personal Property Manager
Shavonda McLean, Appraiser
Nancy Freeman, Recording Secretary

Chair Jennifer Marsh called the meeting to order at 2:02 PM.

WILSON **9823396019**

Conrad Wilson appeared before the Board to appeal the value of 10.12 acres located off Mebane Oaks Road. The current assessed value of the property is $78,600. A list of evidence follows:

APPELLANT	COUNTY
40_2016_06_23_1400 Appeal Request	40_2016_06_23_1400 2016 Property Record Card
	40_2016_06_23_1400 Aerial Photo
	40_2016_06_23_1400 Photo
	40_2016_06_23_1400 Sales Reports and Comps
	40_2016_06_23_1400 Subject Property Record Card

Note: Mr. Wilson appealed his three properties together rather than addressing each property separately.

Mr. Wilson provided a packet of information to be entered into evidence (40_2016_06_23_1400 Email-Maps -Black Locust). The packet included several sections:

- Schedule A: Email from Sue Anderson, Realtor/Broker, subject: CMA FOR DIXON LAND
- Schedule B: Topography Map Orange Co Interactive GIS
- Schedule C1 & C2: Aerial Views from 2006 & 2013 Orange Co Interactive GIS
- Schedule D: Printed information about Black Locust Control
- Schedule E: Photos

Mr. Wilson stated that he understood that his evidence should support the value of the property as of January 1, 2009, but to do that was problematic. The appellant contacted the listing agent for the properties he purchased and verified that the cumulative per-acre price was $5,500 in 2014 (Schedule A). Mr. Wilson stated that all three properties were purchased for $5,500 per acre, but the he was not required to buy all three properties in order to get that sales price. The appellant stated that he also bought 7 acres nearby in Alamance County in 2012 for $4,250 per acre, and stated that property is good, farmable land at a fair price.

Mr. Wilson explained that the properties had no real road access when he was looking to purchase and he had to acquire easements for access to two of the tracts of land. Mr. Wilson also stated there were no easements for utilities on the properties when purchased and he worked with the adjoining property owners to get an easement for utilities as well. Mr. Wilson stated that it would cost $10,000-15,000 to get electricity to the properties.

Mr. Wilson stated that Schedule B is a topography map of the three properties. He indicated that a good portion of all 3 tracts are in flood zones and noted that creek lines are visible, which show that a high percentage of these properties are not accessible and do not drain properly. Ms. Roberts remarked that Schedule B does not show a large portion of the properties as not accessible and stated that the areas look high enough to drain properly.

Mr. Wilson noted that schedule C1 shows that in 2006, trees are beginning to grow, and schedule C2 represents the current condition of these properties (from 2013 GIS aerial). Mr. Wilson stated that prior to his purchase of the properties, all farming had ceased, and the appellant believes the reason was because locust trees had already begun to grow on the three tracts. Mr. Wilson explained that locust trees have very long, destructive briars and it is very difficult to control the growth and it is a major problem to get rid of them. He further explained that the locust trees are 20-30 feet tall and sprout from the roots and from the seed pods. Mr. Wilson explained that he was told that the properties were good farming land prior to his purchase, but found that not to be the situation. Ms. Marsh asked if the parcels of land were over-run with locust trees when he purchased them. The appellant stated that they were too overgrown to walk it when purchased, and the properties' condition was misrepresented at the time of sale.

Mr. Wilson stated that he purchased the properties with the intent to begin organic farming with his grandchildren. Mr. Wilson was under the impression that all he needed to do in order to farm it would be to bush hog the land. The appellant stated that the person hired to bush hog the land only bush hogged a portion of the land and would not come back because of the locust trees. The appellant explained that the Forestry Service could eradicate the locust trees by using a harrow on the roots, burning the trees and roots, and planting pine trees. After two years the Forestry Service would do an aerial spraying to kill everything except the pine seedlings. He would not be able to be certified for organic farming because of the chemicals. In addition, he cannot put cows on the land as is because of the locust trees.

The board members had several questions for Mr. Wilson concerning what the properties could be used for and what type of soil the properties have. Mr. Wilson responded that he was not sure what type of soil the properties have. The Board asked if a septic system could be installed on each lot, and could a house be built on each lot. Mr. Wilson replied that he had not checked to see if he could install septic, because he was intending to use the property for organic farming, not to build houses on. Ms. Roberts inquired about the possibility of logging the property, and the appellant stated that the Forest Service said that it has been logged previously and it should not be logged at this time, and they would not recommend select cutting. Ms. Roberts mentioned that although the appellant cannot do what his original intention was, there are other viable uses for the properties. Ms. Marsh asked what Mr. Wilson believed the value should be. Mr. Wilson stated the value should be his purchase price, or close to the values on his neighboring Alamance County property. Ms. Marsh explained that Orange County may not use Alamance County values for comparison because each County has its own Schedule of Values that are adopted by the respective Boards of County Commissioners.

Roger Gunn represented the County. Mr. Gunn stated that the property had previously been in the Present Use Value Program (aka Farm Use), but was removed from the program before Mr. Wilson

purchased the property. In response to a board member's question regarding the program, Mr. Gunn explained that a qualifying tract must have ten acres in agricultural production and show a prior three year annual average of $1,000 in gross sales in order to qualify for Farm Use. Mr. Gunn also mentioned that the property was part of an estate prior to Mr. Wilson purchasing the property, to which Mr. Wilson explained that he actually purchased the properties from one of the heirs to the Dixon Estate. Mr. Gunn stated that the county had an appraiser review the three properties, and the appraiser researched similar properties in the area. The appraiser found Mr. Wilson's properties to be valued equitably with the properties researched. Mr. Gunn noted that these properties are not in a FEMA designated flood hazard area. Mr. Gunn also explained that the photos provided by the County show the front view of each property. Mr. Wilson viewed the County's photos and stated that they showed areas where the initial bush hogging was done to the properties.

The Board reviewed all documents and information provided by the appellant and the County. After deliberation and review, Ms. Marsh made a motion of no change to the valuation because there was no evidence to support a change in valuation. The motion was seconded by Ms. Roberts and the motion carried.

Ayes: 3
Noes: 0

WILSON **9823490882**

Conrad Wilson appeared before the Board to appeal the value of a second parcel of 10.12 acres located off Mebane Oaks Road. The current assessed value of this property is $74,300. A list of evidence follows:

APPELLANT	COUNTY
41_2016_06_23_1400 Appeal Request	41_2016_06_23_1400 2016 Property Record Card
	41_2016_06_23_1400 Photo
	41_2016_06_23_1400 Aerial Photo
	41_2016_06_23_1400 Sales Reports and Comps
	41_2016_06_23_1400 Subject Property Record Card

See notes above for PIN 9823396019.

WILSON **9823389626**

Conrad Wilson appeared before the Board to appeal the value of 13.17 acres off Mebane Oaks Road. The current assessed value of this property is $84,200. A list of evidence follows:

APPELLANT	COUNTY
42_2016_06_23_1415 Appeal Request	42_2016_06_23_1415 2016 Property Record Card
	42_2016_06_23_1415 Photo
	42_2016_06_23_1415 Aerial Photo
	42_2016_06_23_1415 Sales Reports and Comps
	42_2016_06_23_1415 Subject Property Record Card

See notes above for PIN 9823396019.

Mr. Nathan Duggins, an attorney representing the appellant, appeared before the Board to request the acceptance of the late filing of an application for Property Tax Exemption or Exclusion for a solar farm located at 653 Mattress Factory Road, and if accepted, approval of the application for 2016. A list of evidence follows:

APPELLANT	COUNTY
43_2016_06_23_1430 Exemption Application	43_2016_06_23_1630 Email

Mr. Duggins stated that he is the attorney for Ecoplexus, the company contracted to create the solar farm for Fresh Air Energy. Kim Gammill works with Ecoplexus, and she outlined in an email to Orange County Tax Office staff the reasons that the appellant missed the February 29, 2016 filing deadline. Mr. Duggins explained that most of Ecoplexus' solar farm work has been done in the state of California, which has a different process for exemption applications. In addition, the company was understaffed. Mr. Duggins stated that the application was submitted on May 9 2016 and there were other counties in North Carolina where solar farms were created and the filing deadline was missed, and so far, two of the counties had accepted their late applications.

Shavonda McLean represented the County. Ms. McLean stated that if the application had been filed timely it would have been approved. Ms. McLean stated that the result of an accepted and approved application would be an 80% reduction in taxes. The Board asked how much value would be exempted, and Mr. Duggins responded that the property value is $6.1 million. He further stated that a typical solar farm generates about 10 kilowatts, and the goal is that about 10% of their production or delivery should come from solar power.

Ms. Davis asked for clarification on the process. Mr. Gunn stated that the Board's duty is first to decide if the late application will be accepted, and if the late application is accepted, to then decide if the exemption will be granted.

The Board reviewed all documents and information provided by the appellant and the County. After deliberation and review, Ms. Marsh made a motion to not accept the application based on the fact that the Board has not accepted other late applications in this year's session. There were no seconds.

Ms. Davis made a motion to accept the application because of special circumstances, as the person providing the application was not aware of the local laws and regulations for the filing deadline and because Orange County would like to see more environmentally friendly businesses in the county. The motion was seconded by Ms. Roberts. Ms. Marsh voted no.

Ayes: 2
Noes: 1

Ms. Davis then made a motion to grant the exemption because the property meets the statutory requirements for exemption. Ms. Roberts seconded the motion and the motion carried.

Ayes: 3
Noes: 0

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Community Home Trust

Note: Community Home Trust originally appealed six properties. Per Ms. Woolworth, three of those properties are being withdrawn, and the remaining three properties will be addressed together rather than each being addressed separately.

Community Home Trust **9776895947**

Lori Woolworth appeared before the Board to appeal the value of property located at 1025 Shagbark Court. The current assessed value of this property is $2,000. Ms. Woolworth stated that they are withdrawing this appeal.

Community Home Trust **9870713114**

Lori Woolworth appeared before the Board to appeal the value of property located at 351 Lena Circle. The current assessed value of this property is $55,000. Ms. Woolworth stated that they are withdrawing this appeal.

Community Home Trust **9870712173**

Lori Woolworth appeared before the Board to appeal the value of property located at 355 Lena Circle. The current assessed value of this property is $55,000. Ms. Woolworth stated that they are withdrawing this appeal.

Community Home Trust **9870702879**

Lori Woolworth appeared before the Board to appeal the value of property located at 432 Lena Circle. The current assessed value of this property is $170,200. A list of evidence follows:

APPELLANT	COUNTY
45_2016_06_23_1515 Appeal Application	45_2016_06_23_1515 2016 Property Record Card
45_2016_06_23_1515 Appeal Letter	45_2016_06_23_1515 Photo
45_2016_06_23_1515 Declaration	
45_2016_06_23_1515 Email	
45_2016_06_23_1515 Plat	
45_2016_06_23_1515 Purchase & Sale Agreement	

Ms. Woolworth stated that all three properties were designated as affordable units prior to the properties being transferred to Community Home Trust. There is a Special Use Permit for each property that limits the value to which these properties can be sold, and for these three properties, the value is $124,100 each. Each property was conveyed to Community Home Trust at $124,100 based on the Special Use Permit (part of appellant's evidence).

Roger Gunn represented the County and stated that all three properties transferred to Community Home Trust prior to the adjournment of the Board, and the appellant does have the right to appeal the properties' values. Mr. Gunn confirmed from deed recordings that all three properties transferred at the predetermined $124,100 from the developer to Community Home Trust. The County agrees that the value for each completed residence should be $124,100. However, the three properties had differing levels of completion on January 1, 2016:

- 432 Lena Circle (PIN 9870702879) was approximately 50% complete
- 460 Lena Circle (PIN 9870714083) was 100% complete
- 456 Lena Circle (PIN 9870714051) has the same floor plan as 460 Lena Circle, but was only 30% complete.

The Board reviewed all documents and information provided by the appellant and the County. After deliberation and review, Ms. Marsh made a motion to accept the County's recommendation to adjust the value of each property based on a completion value of $124,100 for each property, taking into account each property's percentage of completion on January 1, 2016. The motion was seconded by Ms. Davis and the motion carried.

Ayes: 3
Noes: 0

Chief Appraiser's Note: After adjusting the value of each property based on a completion value of $124,100 and each property's respective percentage of completion on January 1, 2016, the adjusted valuation for each parcel is as follows:
$75,200 for PIN 9870702879
$124,100 for PIN 9870714083
$93,600 for PIN 9870714051

Community Home Trust **9870714083**

Lori Woolworth appeared before the Board to appeal the value of property located at 460 Lena Circle. The current assessed value of this property is $188,900. A list of evidence follows:

APPELLANT	COUNTY
46_2016_06_23_1530 Appeal Application	46_2016_06_23_1530 2016 Property Record Card
46_2016_06_23_1530 Appeal Letter	46_2016_06_23_1530 Photo
46_2016_06_23_1530 Declaration	
46_2016_06_23_1530 Email	
46_2016_06_23_1530 Plat	
46_2016_06_23_1530 Purchase & Sale Agreement	

See notes above for PIN 9870702879.

Community Home Trust **9870714051**

Lori Woolworth appeared before the Board to appeal the value of property located at 456 Lena Circle. The current assessed value of this property is $179,800. A list of evidence follows:

APPELLANT	COUNTY
47_2016_06_23_1545 Appeal Application	47_2016_06_23_1545 2016 Property Record Card
47_2016_06_23_1545 Declaration	47_2016_06_23_1545 Photo
47_2016_06_23_1545 Email	
47_2016_06_23_1545 Plat	
47_2016_06_23_1545 Purchase & Sale Agreement	

See notes above for PIN 9870702879.

CRIBBS **0900329476**

James Lacy Cribbs, Jr. did not appear before the Board to appeal the value of property located at 7405 Deer Crossing Road. The current assessed value of this property is $188,900. A list of evidence follows:

APPELLANT	COUNTY
50_2016_06_23_1630 Appeal Application	50_2016_06_23_1630 2016 Property Record Card
50_2016_06_23_1630 Appraisal	50_2016_06_23_1630 Comp Subject
	50_2016_06_23_1630 Comps
	50_2016_06_23_1630 Photo

Roger Gunn provided evidence submitted by the appellant. Mr. Cribbs is asking for a $9,000 reduction. Mr. Cribbs provided an appraisal as evidence.

In representing the County, Mr. Gunn explained that the property appears to be properly valued and noted that the appraisal is from 2016 and cannot be considered because it is not time relevant to the 2009 revaluation.

The Board reviewed all documents and information provided by the appellant and the County. After deliberation and review, Ms. Davis made a motion for no change in value based on the fact that no evidence was submitted by the appellant to indicate that the value assigned by the County was incorrect. The evidence submitted by the appellant was not time relevant. The motion was seconded by Ms. Marsh and the motion carried.

Ayes: 3
Noes: 0

DAVIS **9799516875**

Deborah S. Davis did not appear before the Board to appeal the value of property located at 1413 Wildwood Drive. The current assessed value of this property is $327,600. A list of evidence follows:

APPELLANT	COUNTY
51_2016_06_23_1645 Appeal Application	51_2016_05_23_1645 2016 Property Record Card
51_2016_06_23_1645 Comp	51_2016_05_23_1645 Analysis
51_2016_06_23_1645 Envelope	51_2016_05_23_1645 Photo
	51_2016_05_23_1645 Property Record Card Comp
	51_2016_05_23_1645 Sales Comps

Roger Gunn provided evidence submitted by the appellant which included one comparable sale.

In representing the County, Mr. Gunn explained that a review of the property record revealed there are some corrections needed to the property record. Mr. Gunn noted that an area of the home is sketched as having a living area with a crawl space. However, that living area was formerly a garage, and has a slab foundation rather than a crawl space. Mr. Gunn stated that the County would recommend

removing a construction modifier, and adding 20% functional obsolescence due to the lack of the garage. The recommended adjustments would result in a lower value for the property in the amount of $310,500. Ms. Davis asked why one would lower the value because of a lack of a garage when many homes in the subject subdivision have no garage. Mr. Gunn stated that the garage was converted to a bedroom and a bath in 2014 and does not believe the floor plan has the same utility as a similar sized home without living area converted from a garage.

The Board reviewed all documents and information provided by the appellant and the County. After deliberation and review, Ms. Davis made a motion to accept the County's recommended changes with the exception that the functional obsolesce due to the loss of the garage should only be 10%, rather than 20%. The motion was seconded by Ms. Roberts and the motion carried.

Ayes: 3
Noes: 0

Chief Appraiser's Note: After applying the ordered adjustments, the adjusted valuation of the property is $316,800.

Having heard all of the appeals scheduled on this date, Ms. Marsh made a motion to adjourn this meeting at 3:22 PM. The motion was seconded by Ms. Roberts and the meeting was adjourned. Mr. Gunn mentioned that the Board would likely need to meet again in the Fall.

Jennifer Marsh, Chair

Nancy Freeman, Recording Secretary