

State Board of Equalization
August 10, 2020

The State Board of Equalization met in the Coteau Room of the North Dakota State Capitol, Tuesday, August 10, 2020 at 8:34 a.m.

The following members were present:

Lieutenant Governor Brent Sanford, Chairperson
Kelly Schmidt, State Treasurer
Joshua Gallion, State Auditor
Doug Goehring, Commissioner of Agriculture
Ryan Rauschenberger, Tax Commissioner and
Secretary of the State Board of Equalization

It was moved by Treasurer Schmidt and seconded by Commissioner Goehring to approve the minutes of the July 14, 2020 meeting. Upon voice vote, all members voted “aye.” Motion carried.

Commissioner Rauschenberger provided information on the hearing for telecommunications carriers 2019 gross receipts taxes. With no discussion, it was moved by Commissioner Rauschenberger and seconded by Auditor Gallion to approve the 2019 telecommunications gross receipts taxes. Upon roll call, all members voted “aye.” Motion carried.

Commissioner Rauschenberger went through procedural items for the remainder of the meeting. He explained there will not be any action taken by the board today regarding the appeals. Individual investigations for the appeals presented and tolerance issues set before the board today will be assigned to the property tax division staff following the meeting.

The meeting was turned over to Kim Vietmeier, State Supervisor of Assessments. Mrs. Vietmeier explained the technological processes for the hybrid meeting. She reviewed the tolerance level adopted for use by the State Board of Equalization for locally assessed property. The tolerance level was established as 90 to 100 percent. Mrs. Vietmeier explained the process of when a county could speak on behalf of its tolerance issues if desired and stated that the property tax division will work to address the assessment issues with those jurisdictions.

The appeals process began with Hettinger County. There were no appeals or tolerance issues until McLean County, which has a residential appeal filed by Mr. Schaffer. Mr. Schaffer is protesting the value of his residential property. No one presented additional information for McLean County.

Mountrail County has tolerance issues with its commercial assessments. Lori Hanson, Tax Director of Mountrail County, stated she will work with the property tax division to prepare the recommendation to the board in September.

Due to the hybrid style meeting, Treasurer Schmidt recommended the meeting be slowed down to allow those joining via Microsoft TEAMS adequate time to respond and address the Board.

Oliver County has tolerance issues with its commercial assessments. No one presented additional information for Oliver County.

Pembina County: Lynn Augustin of rural Pembina County. Mr. Augustin is appealing the assessment of his commercial property, stating it should be assessed as agricultural property. Mr. Augustin claimed he is a farmer who pays self-employment tax on a farm which he inherited. Commissioner Goehring questioned whether Mr. Augustin is renting any of the buildings out. Mr. Augustin stated he does not rent it out and that the structures are primarily used for storage.

Sioux County has tolerance issues with its agricultural assessments. No one presented additional information for Sioux County.

Stark County: Halliburton Energy Services, Dickinson. Kimberly King, a tax specialist with Halliburton, presented an appeal on a commercial complex within the city of Dickinson. She believes there should be a vacancy factor or obsolescence applied since the property has been on the market for some time

Stark County: Riley and Michelle Kuntz, Dickinson. Mr. and Mrs. Kuntz are appealing their residential parcel within the city of Dickinson. They believe the assessment is too high.

Stark County: Joe Hirschfeld, City of Dickinson Assessor. Dickinson has tolerance issues with its commercial and residential assessments. Mr. Hirschfeld addressed the two appeals within city limits.

Stutsman County: Neil and Sheila Johnston. Mr. Johnston stated he does not believe his rural property is worth as much as it should be due to poorly maintained roads. He claimed his property is not accessible on the county roads. Stutsman County Tax Director, Tyler Perleberg stated he submitted some information to the State Board of Equalization after an initial investigation. Mr. Perleberg stated he will be willing to answer any questions and provide more information as needed.

Towner County: David Lagein, Rural Property. Mr. Lagein is appealing a rural residential property. He believes the assessments is too high. Mr. Lagein did not present additional information to the board.

Williams County: RE POOL LLC, of Williston. Pivotal Tax Solutions, agent for RE Pool LLC, contends the assessment is too high on a commercial property within Williams County. No additional information was presented.

Williams County: Russel Evitt of Williston. Mr. Evitt is appealing his residential assessment within the City of Williston. He believes the assessment is too high. Mr. Evitt did not present additional information to the board. Darcy Anderson, Williams County Tax Director, stated she has nothing to present at the moment, but is willing to work with the State Board of Equalization members on the current appeals.

Barnes County: Henry Berger of rural Barnes County. Mr. Berger is appealing a commercial assessment on his rural property. He believes the property should be exempt as a farm residence. Barnes County Tax Director, Stacy Hansen-Leier stated she has submitted information for this appeal to the State Board of Equalization and is willing to answer any questions. With no questions, Vietmeier presents the next appeal.

Barnes County: Mr. and Mrs. Shape. Mrs. Hansen-Leier stated she turned in a letter response and information. Hansen-Leier shared that she recently learned that the property had been burnt down. Next year the county plans to reassess the property as agricultural.

Barnes County: Mr. Knutson from rural Barnes County. Mr. Knutson is appealing an acreage discrepancy on a rural parcel. Mr. Knutson did not present additional information to the board. County Tax Director, Stacy Hansen-Leier stated she received the appeal the day prior to the meeting which did not allow her adequate time to put a letter or information together to present. Hansen-Leier stated she will have information ready and sent to the State Board of Equalization by the end of the day. Commissioner Goehring asked if the acres owned by Mr. Knutson changed to tillable acres. Mrs. Vietmeier responded by stating all the information has not been provided, though it will all be included in the report presented at the following State Board of Equalization meeting in September.

Bowman County has tolerance issues with its commercial assessments. No one presented additional information for Bowman County.

Cass County: Richard Nymark of Fargo. Mr. Nymark is appealing two rental properties in the city limits of Fargo. He stated he believes his properties are not being compared to properties within the same proximity. Mr. Nymark did appear in person to address the board.

Cass County: Timothy Stolz of Fargo. Mr. Stolz is appealing an airport hangar located at the West Fargo airport. No additional information was presented to the board.

Cavalier County: Tom Valentine of rural Cavalier County. Mrs. Vietmeier stated Cavalier County has provided an updated parcel report after a rebuttal was made by the appellant. Commissioner Rauschenberger asked to provide a quick reminder of what the report includes. Property Tax Specialist, Linda Morris stated last year Cavalier County was asked by the appellant to provide a report due to some acreage discrepancies. Ms. Morris stated the county tax equalization director has been addressing the issue adequately and appropriately.

Foster County: Gene Doeling from rural Foster County. Mr. Doeling is protesting the assessed value on a one acre rural parcel. No additional information was presented to the board.

Mrs. Vietmeier explained that all registered appeals have been concluded and asked if anyone else would like to come forward to address the Board with other appeals. With no response, the appeal process came to an end.

Members of the State Board of Equalization discussed dates for the September meeting. It was decided that more time was necessary to work out scheduling and the date will be sent out in a future memo. Commissioner Rauschenberger thanked everyone who participated in the new meeting processes and those who were able to attend both in person and virtually. Rauschenberger explained that investigations will be performed for the tolerance level issues and appeals. Recommendations will be provided to the State Board of Equalization at a September meeting.

Commissioner Rauschenberger turned the meeting over to Lieutenant Governor Sanford who thanked everyone for their participation. Meeting adjourned at 9:34 a.m.