

AUGUST 16, 2007

The 2007 Value Adjustment Board, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, August 16, 2007, at 1:30 p.m.

Present were:

Donna Hayes, Chairman
Carol Whitmore
Gwen Brown
Harry Kinnan
Barbara Harvey

Also present were:

Jason Henbest, Assistant County Attorney
Robin Liberty, Deputy Clerk,
representing R. B. Shore, Clerk of Circuit Court

AGENDA

The agenda of August 16, 2007.

[VA20070816DOC001](#)

2006 VAB SESSION ADJOURNED

Motion was made by Ms. Brown, seconded by Mrs. Harvey, and carried 5 to 0, to adjourn the 2006 Value Adjustment Board (VAB) session.

[VA20070816DOC002](#)

2007 MEMBERS CONFIRMED

Motion was made by Mrs. Harvey, seconded by Ms. Whitmore, and carried 5 to 0, to confirm 2007 VAB members:

County Commission: Donna Hayes – Chairman; Carol Whitmore; Gwen Brown.

School Board: Harry G. Kinnan; Barbara A. Harvey; Walter E. Miller – Alternate.

[VA20070816DOC003](#)

VICE-CHAIRMAN

The floor was opened for nominations for Vice-Chairman.

Nomination: Harry Kinnan – by Mrs. Harvey

A unanimous ballot was cast for **Harry Kinnan** as Vice-Chairman.

[VA20070816DOC004](#)

MINUTES

Motion was made by Ms. Brown, seconded by Mr. Kinnan, and carried 5 to 0, to approve the minutes of February 26, 2007, and March 12, 2007.

[VA20070816DOC005](#)

2007 RULES AND PROCEDURES

Jason Henbest, Assistant County Attorney, presented a draft of Resolution:

R-07-184 A RESOLUTION PROVIDING VALUE ADJUSTMENT BOARD RULES AND PROCEDURES (**rescinding** Resolution R-06-210).

Mr. Henbest advised of changes to **Paragraph 2**, eliminating the provision for the Clerk to reject petitions filed beyond the deadline date and for that determination to be made by the Special Magistrate; **Paragraph 4**, regarding Special Magistrate appointments and serving one or more terms to hear petitions; and **Paragraph 8**, regarding approval of additional compensation for a Special Magistrate, by the Chairman, under extraordinary circumstances, supporting the need for additional hours, and upon recommendation from the County Attorney.

Motion was made by Ms. Whitmore and seconded by Mrs. Harvey, to adopt Resolution **R-07-184**.

Mr. Henbest stated a corrected, draft copy of the Information for Taxpayers has been distributed, reflecting the addition to allow petitioners two minutes to address the Value Adjustment Board when they consider the recommendations of the Special Magistrates. He emphasized that the submission of additional testimony and documentary evidence will not be allowed, and that the statements should be based on the comments and evidence that was presented to the Special Magistrate.

Following discussion regarding the legality of group representation and the order of presentations on individual parcels and appeals, the motion carried 5 to 0.

[VA20070816DOC006](#)

SPECIAL MAGISTRATES

Mrs. Hayes stated four individuals applied to serve as Special Magistrates and her recommendations are **Michael A. Connolly** (Attorney), **Charles M. Polk, III** (Real Estate Appraiser), and **Gerald LaGace** (Tangible Personal Property Appraiser).

Motion was made by Mr. Kinnan and seconded by Mrs. Harvey, to accept the recommendations of **Michael A. Connolly**, **Charles M. Polk, III**, and **Gerald LaGace** as Special Magistrates. The motion carried 5 to 0.

[VA20070816DOC007](#)

Compensation and Contract

Mr. Henbest reviewed and recommended approval of the form of agreement for Special Magistrates, noting changes to Section I. Responsibilities of the Special Magistrate, and Section XV. Dual Office Holding. The agreement is structured to indicate that the term for Special Magistrate is the time and

date of his hearing, and that at no point is a Special Magistrate serving as Magistrate for multiple counties at the same time. This change is a result of an Attorney General's Opinion.

Motion was made by Ms. Whitmore and seconded by Mrs. Harvey, to approve the form of agreement with the Special Magistrate as presented (and authorize execution of the agreements). The motion carried 5 to 0. [VA20070816DOC008](#)

EX-PARTE COMMUNICATION

VAB members were reminded they may not discuss individual petitions with property owners or others outside the VAB hearings.

Discussion: Whether this rule also pertains to communication with the Property Appraiser; County Attorney's office to advise VAB members by memorandum; etc. [VA20070816DOC009](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 1:57 p.m.
/pk/rl

Minutes Approved: May 14, 2008