

AUGUST 24, 2012

The 2012 Value Adjustment Board, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 10:00 a.m.

Present were:

John Chappie, Chairman
Michael Gallen, Alternate
Karen Carpenter
Wade Thompson
Joshua Conn
Julie Aranibar (Alternate School Board member was also present to observe)

Absent was:

Robin DiSabatino

Also present were:

Robert Hoonhout, Value Adjustment Attorney
Vicki Tessmer, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

AGENDA

The agenda of August 24, 2012.

[VA20120824DOC001](#)

INTRODUCTIONS

Value Adjustment Board (VAB) members and the VAB Attorney were introduced.

MINUTES

Motion was made by Ms. Carpenter, seconded by Mr. Gallen, and carried 5 to 0, to approve the minutes of March 22, 2012, from the 2011 VAB session.

[VA20120824DOC002](#)

VALUE ADJUSTMENT BOARD

Pursuant to the *Florida Administrative Code (F.A.C.)*, the contact information for Board members is vab@manateeclerk.com.

2012 VAB ATTORNEY

Motion was made by Mr. Thompson, seconded by Mr. Gallen, and carried 5 to 0, to appoint **Robert A. Hoonhout, Esq.**, as the 2012 VAB Attorney, and authorize execution of an agreement with Mr. Hoonhout, in substantial conformance with his 2011 agreement.

[VA20120824DOC003](#)

CHAIRMAN

Motion was made by Ms. Carpenter, seconded by Mr. Gallen, and carried 5 to 0, to confirm **John Chappie** as Chairman of the 2012 VAB.

VICE-CHAIRMAN

The floor was opened for nominations for Vice-Chairman.

Nominations: Michael Gallen - by Mr. Chappie
Joshua Conn - Mr. Gallen

Michael Gallen declined the nomination, as he is the alternate VAB member.

Motion was made by Mr. Gallen, seconded by Ms. Carpenter, and carried 5 to 0, to cast a unanimous ballot for **Joshua Conn** as Vice-Chairman.

CLERK DESIGNEES

Vicki Tessmer, Board Records Supervisor, announced that she, Susan Romine, Diane Vollmer, and Robin Liberty have been designated as 2012 VAB Clerks by R.B. Shore, Clerk of the Circuit Court and Comptroller.

[VA20120824DOC004](#)

2012 SPECIAL MAGISTRATES

The Chairman reviewed the 2012 Special Magistrate Applicants:

Attorneys

Standford Birnholz
Barrie S. Buenaventura
Joseph Haynes Davis
Rinky S. Parwani
C. Michael Polk, III
Charles M. Samaha

Real Estate Appraisers

Carolyn M. Holman
Raymond H. Krasinski
David C. Lemonde
Patricia P. McGrath
C. Michael Polk, III

Rick Rape
Tracy T. Shinkarow
Patricia E. Staebler
Shawn Wilson

Tangible Personal Property Appraisers

Tammy Blackburn
Rick Rape

Discussion: Assessments have dropped, and this may affect the number of petitions filed; there may not be enough work for all applicants; the resumés of applicants not selected can be revisited if it is determined that additional Magistrates are needed; etc.

(Note: Further action later in meeting)

Motion

Motion was made by Mr. Thompson and seconded by Mr. Gallen to appoint **Rinky S. Parwani** and **C. Michael Polk, III**, as Attorneys; **Raymond Krasinski**, **David Lemonde**, **C. Michael Polk, III**, and **Rick Rape** as Real Estate Appraisers, and **Tammy Blackburn** and **Rick Rape**, as Tangible Personal Property Appraisers.

Compensation and Contracts

Robert Hoonhout, VAB Attorney, stated the 2012 Magistrate agreements will be prepared in substantial conformance with the 2011 agreements. Language will be modified, outlining terms of payment and the process for requesting additional time required for research and preparation of recommendations if extraordinary circumstances require an extension.

Having considered the resumés and qualifications of the Special Magistrates, pursuant to *Chapter 12D-9, F.A.C.*, motion was made by Ms. Carpenter, seconded by Mr. Thompson, and carried 5 to 0, to authorize execution of the 2012 Special Magistrate Agreements, in substantial conformance with the agreements utilized last year.

Designation of Attorney Special Magistrates to Rule on Good Cause

Motion was made by Mr. Gallen, seconded by Mr. Thompson, and carried 5 to 0, to designate **C. Michael Polk, III**, and **Rinky S. Parwani**, as Attorney Special Magistrates to rule on good-cause determinations relating to untimely or incomplete petitions and requests for reschedules, pursuant to *Chapter 12D-9, F.A.C.*

[VA20120824DOC005](#)

INTERNAL PROCEDURES

Motion was made by Ms. Carpenter, seconded by Mr. Gallen, and carried 5 to 0, to adopt

R-12-167 A RESOLUTION PROVIDING VALUE ADJUSTMENT BOARD LOCAL INTERNAL PROCEDURES

(pursuant to *Florida Statute §194* and *Chapter 12D-9 and 12D-10, F.A.C.*)

[VA20120824DOC006](#)

2012 SPECIAL MAGISTRATES (Continued)

Mr. Hoonhout stated Real Estate Appraiser, **Patricia Staebler** was inadvertently omitted from the list of selected Magistrates.

Mr. Thompson amended the prior motion to include **Patricia Staebler** as a Special Magistrate. The amended motion was seconded by Mr. Gallen and carried 5 to 0.

DOR UNIFORM RULES OF PROCEDURES AND FLORIDA PROPERTY TAX SYSTEM

Mr. Hoonhout summarized new *Section 194.014, Florida Statutes* (Partial Payment of Taxes Required), effective for petitions filed after July 1, 2011.

He explained the rules of ex parte communications, prohibiting a Board member from discussing a petition with a petitioner. He discussed the Taxpayer's Bill of Rights and explained the VAB petition process and the right to appeal in circuit court.

Inasmuch as DOR rules require the public to have access to all information regulating the VAB process, Mr. Hoonhout referred to *Florida Statutes, Chapters 192-195, Chapters 12D-9, 12D-10, and 12D-51, F.A.C.*, and the *Government-In-The-Sunshine Manual* outlining the purpose of each document. Links to these websites are listed on the agenda, as well as the Clerk's website.

[VA20120824DOC007](#)

PRE-NOTICE OF TAX FORMS FOR REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY

Motion was made by Mr. Gallen, seconded by Ms. Carpenter, and carried 5 to 0, to authorize the Chairman to execute Form DR-488P for Real Property and Tangible Personal Property, upon notification that the Board of County Commissioners has approved the extension of the tax roll prior to the completion of the Value Adjustment Board hearings.

[VA20120824DOC008](#)

TENTATIVE HEARING SCHEDULE

Ms. Tessmer stated the 2012 Special Magistrate hearings will begin in October 2012 and will continue until finished. Hearing dates will be posted on the calendars of both the Clerk's and County's websites.

CORRESPONDENCE

Mr. Hoonhout advised that Mr. Gallen was served with a Summons Complaint (Case 2012-CA-05552) filed by **D.P. "Rick" Wood** against the Manatee County Value Adjustment Board for services rendered as Special Magistrate for the period 2005-2007, pursuant to the terms of his VAB Special Magistrate Contract.

The Summons Complaint was served on August 22, and a written response must be filed within 20 days. Mr. Hoonhout requested authority to file a written defense to the Complaint in order to determine the merits of the case.

Motion was made by Ms. Carpenter, seconded by Mr. Gallen, and carried 5 to 0, to grant Mr. Hoonhout's request to file the written response.

Motion was made by Mr. Gallen, seconded by Mr. Thompson, and carried 5 to 0, to accept into the record a Summons Complaint filed by **D.P. "Rick" Wood** for services rendered, as well as any communications pertaining to this matter.

[VA20120824DOC009](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 10:27 a.m.
/rll

Minutes Approved: March 20, 2013