



COUNTY ATTORNEY

AGENDA ITEM: h .

MEETING DATE: January 24, 2012

STAFF PERSON RESPONSIBLE: Cindy Hancock, Legal Analyst

DESCRIPTION: List of Arbitrators for Property Valuation Appeals from Decisions of the Board of Equalization.

SUMMARY: On February 23, 2010, a list of proposed arbitrators was submitted to this Board for approval to conduct arbitration hearings for the valuation appeals from the Douglas County Board of Equalization for the 2010 and 2011 tax years. Since the initial approval of those arbitrators, changes have taken place and the list needs to be revised. As such, the Board is requested to approve the new list of proposed arbitrators for the 2011 tax year and also extending into the 2012 tax year.

BOARD ACTION RECOMMENDED: Approval of the Douglas County List of Arbitrators for the 2011 and 2012 tax years.

APPROVED FOR AGENDA: Robert D. Clark, Senior Assistant County Attorney

REVIEWED FOR FISCAL CONTENT: Andrew Copland, Director of Finance

REVIEWED BY COUNTY MANAGER: Douglas J. DeBord, County Manager

RESOLUTION NO. R-012-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

**A RESOLUTION APPROVING A LIST OF ARBITRATORS FOR
PROPERTY VALUATION APPEALS FROM DECISIONS OF THE
DOUGLAS COUNTY BOARD OF EQUALIZATION**

WHEREAS, pursuant to § 39-8-108 and §39-8-108.5, C.R.S., a taxpayer is authorized to submit to binding arbitration an appeal from a decision of the Board of Equalization; and

WHEREAS, pursuant to §39-8-108.5, C.R.S., the Board of County Commissioners is required to develop a list of persons who shall be qualified to act as arbitrators of property valuation disputes; and

WHEREAS, such list is to be kept in the office of the County Clerk and Recorder; and

WHEREAS, the persons on such list shall be, in addition to any other qualifications deemed necessary by the Board, experienced in the area of property taxation, be registered, licensed, or certificated pursuant to part 7 of article 61 of title 12, C.R.S., and be any one of the following: an attorney licensed to practice law in the State, an appraiser who is a member of the institute of real estate appraisers or its equivalent, a former county assessor, a retired judge, or a licensed real estate broker; and

WHEREAS, such persons must not have represented any taxpayer in any matter relating to the protest and appeal of property valuation or to the abatement or refund of property taxes in Douglas County, Colorado, in the years 2010, 2011 and/or 2012; and

WHEREAS, the Board of County Commissioners desires to approve a list of persons who shall be qualified to act as arbitrators of property valuation appeals from decisions of the Board of Equalization; now, therefore,

BE IT RESOLVED by the Board of County Commissioners of the County of Douglas, State of Colorado, that the following persons, who are registered, licensed, or certificated pursuant to part 7 of article 61 of title 12, C.R.S., and are experienced in the area of property taxation or attorneys licensed to practice law in the State of Colorado, are hereby approved as arbitrators to conduct hearings pursuant to the provisions of § 39-8-108.5, C.R.S.:

William M. James
Richard B. Chase
Douglas B. Foley

Richard D. Williams
Bonnie Roerig
Barbara Kaczmarek

BE IT FURTHER RESOLVED that said arbitrators shall be compensated in the amount not to exceed \$150 per case for arbitration hearings concerning residential property and in the amount not to exceed \$250 for arbitration hearings involving non-residential properties, unless some other agreement among all parties has been made prior to employment of the arbitrator.

PASSED AND ADOPTED this 24th day of January, 2012, in Castle Rock, Colorado, Douglas County, Colorado.

**BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF DOUGLAS, COLORADO**

BY: _____
JACK A. HILBERT, Chair

ATTEST:

MELISSA PELLITIER
Deputy Clerk