

THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MIAMI COUNTY, KANSAS

The Board of Miami County Commissioners met in regular session, in the Commission Chambers, Miami County Administration Building, Paola, Kansas, on March 22, 2023. Those present were:

Tyler Vaughan, Chairman	W. Jene Vickrey, Commissioner
George Pretz, Pro-Tem	Shelley Woodard, County Counselor
Keith Diediker, Commissioner	Janet White, County Clerk
Rob Roberts, Commissioner	Wendy Newton, Operation Specialist

Visitors: Melma McDonald, Amanda Cline, Jeff Oliver, Debbie Harrison, Michael Platt, Justin Donaldson, Ron Stiles, Danny Goodsell, Clarence Cooper, Carl Cooperrider, Tim Wolff, Patrick Wheeler, Mikah Antwine, Robyn Harris, Jennifer Williams, Renee Katzer, Danny Gallagher, Phil Dixon, Marissa Brandon, Dana Jen Kerson, Daryl Eckmarx

CALL TO ORDER

Chairman Vaughan called the meeting to order at 1:00 p.m.

PUBLIC COMMENTS

Justin Donaldson, 27431 E. Turkey Creek Rd, wanted to address the tax appeal process. Spoke on 3/8 to the Commissioners about the appraisal process and they told him to direct his concerns to the state level. On 3/11 he put together a meeting at the fairgrounds which included state elected representatives, Commissioner Vickrey, and about 300 people came. Read directive 19-048 Procedures and Guidelines for Valuing Property. He believes the county should be using the cost approach instead of the sales approach. 3/21 had his hearing and stated the comparable he was given had numerous discrepancies. He says he is being taxed on structures he no longer has and that his neighborhood is not desirable due to drugs, as compared to the other homes to which he was compared. He said a comment made to him by an Appraiser was ridiculous on this subject. He stated that with the vast number of discrepancies across the board he would like the state to step in and audit the current valuation process. He would like the valuation process to be fair and equal and is asking for the Commissioners help once again.

Amanda Kline, 604 S Pearl St, asked if there was a time and date set on the June budget meetings that was addressed in the 3/8 meeting. Chairman Vaughan stated that the dates and times have not yet been set but will be posted. Ms. Kline told a story about an elderly gentleman who told her 8 years ago about being taxed out of his home. She says she would like to take a proactive approach because the county is struggling and needs top notch health care so that people can stay healthy and work to pay taxes. She says the levies are not friendly and she may not be able to retire here.

Chairman Vaughan stated that the Commissioners were not formally invited to the meeting at the Fair grounds but have been invited to the meeting this Saturday the 25th at the Cultural Center which he believes some of the Commissioners will be attending.

CONSENT AGENDA

Commissioner Pretz moved to approve the Consent Agenda, as follows:

- Approval of minutes of the county commission meeting on May 8, 2023
- Approval of AP payment vouchers and payroll
- Add-On: Adding an Action Item to the agenda to close the county offices for Employee Training and Development Day

Commissioner Vickrey seconded; the vote was unanimous.

NEW BUSINESS

Christena Beer, Health Department Director and Meckenzie Kelly, Health Department Assistant Director, requested the Commissioners to consider approving a resolution for Miami County's participation in the stepping up program and a resolution approving the Opioid Settlement Funding. Commissioner Roberts stated that the

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COMMISSIONERS COMMENTS

Commissioner Vickrey wanted to address the shooting range in Hillsdale, which needs attention. He said we need to try and work with our State Legislators to keep it ran by local volunteers and not being taken over by local Wildlife and Parks. Chairman Vaughan said he would be happy to work with Commissioner Vickrey on this.

Commissioner Roberts invited Justin Eimers, County Appraiser, to come up and comment about any notes of concern taken during public comment. Mr. Eimers said that there was a comment about someone's property being mischaracterized. He says they send out the property evaluations on March 1st and there are no changes for minor changes till the next year without an appeal.

The next comment was about structures being removed from the property that the Appraiser's Office didn't show removed. Mr. Eimers said ones that require a permit to remove are checked into but typically they get out to a property every 6 years to review. He said they welcome emails saying the structures have been removed. He said he also take notes during the fire reports to get out to those structures as well.

He said there was a question about using the cost approach versus some of the other approaches. Mr. Eimers said he does have the option to do different approaches and does use them. He uses the one that most reflects the actual market value. Chairman Vaughan asked if they were bound to one approach or could look at each approach per parcel. Mr. Eimers responded they could use different approaches per parcel, but the final decision is an Appraisers decision.

Commissioner Roberts said that over the next week or so he would like Mr. Eimers to review the comments made by his appraisers to see how we are approaching the citizens. I want our citizens to be treated with the utmost respect. Commissioner Roberts also said he wanted to clarify that Turkey Creek is a private subdivision and those roads do not belong to the County. He said it is a bit concerning when a high value home is next to a less desirable place, and I hope the county takes that into consideration. Mr. Eimers said they do their best to take those types of things into consideration. He said he tells his staff this is the time to get characteristics correct and an opportunity to make our values even better. There is no better time when a property owner comes in; because they know their property better than we do.

Commissioner Pretz stated Mr. Donaldson said he had 3 buildings that are no longer there and asked if he would get adjusted now. Mr. Eimers said if those structures are not there, they would make those adjustments. Commissioner Pretz asked what the definition is of cost approach? Is it what it costs to rebuild that house today? Mr. Eimers answered per standard appraisal practice it is replacement cost new less the depreciation plus other factors physical/functional obsolescence and then adding the land value in which then becomes your total cost value. Chairman Vaughan asked who defines Fair Market Value? Mr. Eimers said K.S.A. 79-503a says in the open market what a willing buyer/seller are willing to pay without undue compulsion. He says an open market is where it is listed, and that undue compulsion means if there was a foreclosure on the property where you want to stay but you must leave because you don't have a choice.

Chairman Roberts asked if the market with remarkably low interest rates where a buyer can afford a higher value home be considered compulsion on the other end during this "artificial" market? Is it time for the state to reconsider how they look at those because it does drive the value of the home up. It's not fair to those who are not out there buying/selling but who are seeing their values go up. Mr. Eimers responded he thinks the state legislators took from standard appraisal text to come up with that language.

Commissioner Roberts asked if Mr. Eimers has any latitude in the application of the law to consider this artificial price that is out there because it greatly impacts the residence who are not selling their home? Mr. Eimers said I take no pleasure, increasing values 20%, I want to make that clear. As your County Appraiser it is my responsibility to follow the law and I take pride in following it to a T.

Chairman Vaughan said we are trying to take care of the piece we can take care of, and we want to help. We are an extension of the state and how can we help expose these issues to the state to support it. From a county and what we can control, we did that, we functionally did that with the revenue neutral budget.

Commissioner Roberts said he hopes he understands that I have asked you to stand for questions to better understand. I am not taking anybody's side but I'm defending the citizens. They have a concern, and they want to better understand it. You have to follow the law and I expect you to do no less but if you can help us understand how to better represent our citizens to define a more accurate value. Mr. Eimers said he does not want to over-