

**OFFICIAL PROCEEDINGS**  
**City of Williston**  
**Local Board of Equalization**  
**April 21st 6:00 P.M.**  
**GoTo Meeting/ Teleconference-Williston North Dakota**

1. Roll Call of Commissioners

**COMMISSIONERS PRESENT:** Tate Cymbaluk, Chris Brostuen, Brad Bekkedahl, Deanette Piesik and Howard Klug

**COMMISSIONERS ABSENT:** None

**OTHERS PRESENT:** Hercules Cummings, David Tuan, Taylor Olson, Darcy Anderson, Christine Guitierrez, Shelby Evans, Shawna Page & Georgianna White

**CHANGES TO THE AGENDA:** None

Commissioner Cymbaluk presented a quorum.

2. Present Assessment Roll and Annual Report

Darcy Anderson, Williams County Tax Director and City of Williston Assessor presented the following:

The Williams County Assessor's Office has prepared this 2021 Assessment Report of the City of Williston. North Dakota statues establishes specific requirement for the assessment of property. The law requires that all real property be valued at True and Full Value, which is defined as the market value as of the February 1<sup>st</sup> assessment date.

The estimated market values established through the 2021 assessment are based upon actual real estate market trends of Williston Properties taking place from January 1, 2020 through December 31, 2020.

As Assessors we are historians, we measure the market based on sales which have occurred before the assessment date. We do not create the value or predict what the market will do. Rather, we follow the patterns set by the real estate market the sales that occurred between January 1, 2020 and December 31, 2020 are used to establish the 2021 assessed values. The sales that occur every year within this time frame are closely scrutinized by our office. Evidence suggesting a forced sale, foreclosure, a sale to a relative, or anything other than an arm's-length transaction requires the sales to be discarded from the sales study.

The assessor's office is charged with setting estimated market values for tax purposes at actual market value. The relationship between sales prices to estimated market value is called

the sales ratio. North Dakota State statute requires (for all classes of property) a median ratio of 90-100%. We make every effort to ensure that each class of property in Williston meets this target as consistently as possible. In this way, we ensure an equitable distribution of the property tax burden for all Williston taxpayers.

State Statute also requires the Assessor's Office send a notice of increase to all property owners whose property value increased 10% and \$3,000 over last year's assessment. There were 546 notices sent for 2021, compared to 2,476 in 2020.

#### 2021 Residential Sales Study Statistics:

For our residential sales study sales prices increased over the year with the average sale price being \$280,667 during 2020 up about \$9,000 from last year, with a slight decline in the number of sales occurring. There were 313 usable residential sales in 2020 down from 374 in 2019. These 202 sales are what the 2021 assessments are base on. Residential properties in Williston sold on average 7% higher than they were valued. The overall Sales Ratio for residential properties was 93.9%. As we are required by the State Board of Equalization to be between 90 and 100% of market value, no overall increase was needed. However, analysis of individual property types showed positive and negative adjustments needed to be made. To determine where changes were needed, sales were analyzed by class, style, and store. Adjustments were made based on this analysis. Residential Property increases on average a half a percent. Residential True and Full Value increased approximately \$14,500,000. \$10,328,940 in valuation was added to the tax roll from new construction.

#### 2021 Commercial Sales Study Statistics:

For our Commercial Sales Study statistics, the State Tax Department requires a sales study of at least 30 sales. 16 useable commercial sales occurred during 2020. To reach the mandatory 30 sales, we had to include the 2019 sales, adjusted to the 2020 value.

The overall commercial ratio is 100.8%. Sales were analyzed by type and location of property to determine where changes were needed.

Commercial True and Full Value decreased about \$394,000,000. \$330,000,000 of that decrease came from value changes to the apartments. Over \$3,000,000 of new construction was added to the commercial valuation of the city.

Our Income Approach to Valuation was applied to apartment buildings across the City. Smaller complexes decreased, on average, 39% while larger complexes decreased 47%.

These rates and expenses were determined by questionnaires sent out to actual owners and managers of the apartments. A sliding scale within the unit style was created to account for condition and amenities of the apartment building.

### 3. Present Recommendations

#### A. Residential

I would recommend residential property be left, as a class, at the level presented. In reviewing the Ratio Adjustment Worksheet, residential property is assessed at 94.14% of market and would need an increase of 6.23% to reach the statutory level of 100%. The State Board of equalization allows a 10% tolerance level.

#### B. Commercial

I would recommend commercial property be left, as a class at the level presented. In reviewing the Ratio Adjustment Worksheet below, commercial property is assessed at 78.05% of market and would need an increase of 28.12% to reach the statutory level of 100%. The State Board of Equalization allows a 10% tolerance level. However, this number reflects the values of the apartments that are valued through the Income Method, while the rest of the commercial properties rely on the Sales Approach. If the value of apartments is removed from the worksheet, commercial property is assessed at 92.15% of market and would need an increase of 8.52%. This is within the tolerance level.

Commissioner Bekkedahl asked if Ms. Anderson had provided the power point, she said no she did not, but it was the same information in the Annual Report. Commissioner Bekkedahl asked if she could send it so he could see it again. His login to the meeting did not work right away. She said she would. Commissioner Cymbaluk asked because there were limited sales of industrial and commercial sales in 2020, when you had to go back and use the ones from 2019. 2020 was a struggle and 2019 was a reasonable year how do you make that adjustment. Williams County Tax Director, Darcy Anderson replied that they adjust the value to the true and current value. Commissioner Cymbaluk also asked if the Park Board were able to use mil levies were would that put our ranking statewide. There is a thirteen and a half difference between us and the next one up, so it would take a heavy mil levie to push us up from our current ranking. Mayor Klug stated that since they had started doing the income level approach for the apartments, they had not seen good participation with questionnaire returns. He asked what the return percentage was this year. Ms. Anderson replied about a third which is high. Mayor Klug asked where the mobile homes that are not on the tax rolls, where do they go. Darcy Anderson, Williams County Tax Director replied that most of the mobile homes are moved out of the county.

### 4. Open Public Hearing

Commissioner Cymbaluk opened the hearing for public comment and protests, he indicated to please state your name and identify your parcel for the record and asked if anyone would like to speak.

#### A. Audience, Comments and Protests

- 1) Daisy Doney - 3733 Orange Willow Street (Harvest Hills)

Her home is being assessed \$57,000 higher this year. She questioned the market value as she has been trying to sell the home and could not get an offer for \$357,500 and it is currently assessed at \$391,940. She wants to contest the value. Commissioner Cymbaluk explained that each house is not assessed individually that they take the value of homes in the same area with similar square footage and use those values as a benchmark to identify a price. She said that she has spoke with multiple relators and her home value has decreased from last year. Commissioner Cymbaluk replied that the market for single family homes increased last year. Covid as frustrating as it can be did not affect the residential market at the level we anticipated. Commissioner Cymbaluk suggested that she hire an outside appraiser and then present findings to the Williams County Tax Department. Darcy Anderson, Williams County Tax Director said that they do not know yet what a decrease would do to the current property tax bill because they will not see budgets until August and those affect the tax bills. Commissioner Bekkedahl asked Ms. Anderson that in the analysis of the sales last year did they find any decline in valuation as the year progressed. Tax Director, Anderson said that they did not look at date quite like that but looking at the lowest ratio sales dates are all mixed from January to December. She continued that even if they did see an increase or decrease, they must use the entire year. Darcy Anderson continued to say that after reviewing the information on the property she did offer to do an inspection on the property.

## 2) John Hernandez - Blairtown Energy 13903 Sunrise

Seven years ago, he let his tenant put in a man camp. Then 5 years ago the city passed an ordinance that there were no more man camps, and the property has been sitting vacant since. His tenant moved out, quit paying rent, quit paying taxes. The appraisal on this property went from about \$200,000 to over a million dollars. Based on that valuation he is protesting the property cannot be used. Darcy Anderson, Williams County Tax Director said that this property was found in a re-evaluation of the commercial property out there. This building was not on the tax rolls, but it is still there so it must be assessed. There was a value of the land only in years before this year, there was no structure value. Commissioner Cymbaluk asked how many acres are on this parcel. Mr. Hernandez answered four and a half. Mr. Hernandez continued to say that Blairtown Energy pulled the proper permits, and he is suing them for not paying the taxes. Commissioner Cymbaluk said that the land is valued at \$275,000 total assessment on this property is one point three five million. Commissioner Bekkedahl asked if it is a permanent structure. Ms. Anderson said that is assessed the same as the mobile motel. Commissioner Bekkedahl asked to confirm that there was no compensation after the man camps closed. Mr. Hernandez said that he is going to dispose of the building. Mayor Klug stated that man camps had a limited life span in the City of Williston, there was a certain amount of risk involved. They were given a certain amount of time to dismantle the properties and could keep some buildings on the property if it were zoned commercial. Mayor Klug continued to say that if the building cannot be used as a living quarters it could be converted to something else and valued as that type of building. Mayor Klug said that the building can be moved out and then only the land will be assessed.

3. Kimberly King – Halliburton 826 48<sup>th</sup> Street

She asked if the commission received the evidence that was filed on Friday. The city has the property assessed at nineteen point two million. They hired an independent appraiser to assess the value of the property and submitted that report for twelve million dollars. Their current properties are being assessed at over 100 per square foot and the appraiser came in at \$40 to \$80 per square foot. Commissioner Bekkedahl asked if we had to go back to get enough sales in Commercial Properties. He stated that it takes one to 3 years for a decline to show up in valuation on Commercial Values lag in showing up with lower values.

4. Kimberly King - 420 Halliburton Drive

They had the brokerage division of the company that did the other appraisal due this property as an individual assessment. This property has been vacant for a little over a year and there has been an offer on this building that has been accepted for, but she cannot divulge that information. Again, value on this property is \$112 per square value. Value on this property is six point three million based on a broker assessment. Commissioner Bekkedahl brought up that we do not usually look at values outside of our area. He asked if the Dickinson property was reduced because it was being sold to the school district. She stated that she did not know. Commissioner Cymbaluk asked if the Dickinson property was put up for bids was not it and the property in Minot was bought by the county and was that price reduced based on the buyer.

5. Kimberly King – 420 22<sup>nd</sup> Avenue

This property is a little bit smaller than the other two we have that a fair value would be two point eight million which is about \$79 per square foot. Commissioner Cymbaluk said that he would like to point out that the increases on these properties two of them are at 10% and the third is 10.1% so Darcy is well within tolerance.

6. Stephanie Nyhus – Polar Creek Property

The property was in 2019 for eight point three million dollars. It is currently listed for eight point six five million dollars. She has an appraiser for eight point seven million dollars. The current market value it is being assessed at is ten point four million dollars. She is requesting a reduction to eight point 2 million. Commissioner Cymbaluk asked if this was the former Sanjel property. Commissioner Bekkedahl asked if that assessment includes rail access. Commissioner Cymbaluk asked if the rail access was included in the appraisal, she said she did not know.

7. Brad Goebel – 4320 Main Street

The property saw an increase of 19% and he would like to point out he is on a gravel road. A with a single wide trailer house on each side of his Commissioner Cymbaluk stated this is in the Californians section of Williston. Last year it was \$203,000 and now it is \$242,000. The property owner is paying specials for water and sewer that have been put in. The only updates were a new roof due to hail damage and replace some siding for the same reason.

8. Chris Sperling -812 53<sup>rd</sup> Street East

Last year my assessment \$232,000 this year \$305,320 an increase of \$72,920 or 31.38%. The building on the property is a 1967 double wide on a permanent foundation. Darcy Anderson, Williams County Tax Director said that there were some changes to the garage with the living quarters above it. Mr. Sperling said that is just a storage facility, and he is still listed as agricultural he is not residential. Anderson continued the attached porch; the garage and the balcony is not on their and the condition did change from normal to below normal as far as age. Commissioner Cymbaluk asked if the property is on septic. Mr. Sperling said that he has no city services. Ms. Anderson said that the value of the land is lower and there is a considerable amount of pastureland.

Commissioner Cymbaluk asked a second time if anyone wanted to comment.

9. Corey Seidel – 5522 16<sup>th</sup> Ave West

This is his dad's property. He has not seen any new sales or appraisals out there. His dad has three and a half acres, and it went from seventeen hundred to forty-one hundred an increase of 136%. Nothing has changed since 1981 except that he built the shop in the back. Commissioner Cymbaluk stated that it is south of Black Hills Trucking. Darcy Anderson replied that it looks like the warehouse was not on there before. Ms. Anderson stated that last year the property was valued at \$472,200. Mr. Seidel states that before that it was like \$200,000. The proposed value for this year is \$460,000. Tax Director Anderson said that for the considerable increase in the past he should file an abatement.

10. Corey Seidel – 2611 18<sup>th</sup> Ave West; 2803 Pheasant Run Parkway

This property went up 19.77%, it is a town house it is currently valued at \$116,000. The second property was accessed at \$118,000 but that one has a front yard.

11. Corey Seidel – 414 W. Broadway

That property went to \$137,500 and the prior year was \$86,000. An increase of 59%.

B. Formal Protest Received Prior to Equalization

Darcy Anderson, Williams County Tax Director and City of Williston Assessor continued. If you turn to the back of the book there is a list of formal comments and protest received prior to Equalization.

Menards has asked to be reduced to \$17,700,000 from \$29,966,340 they submitted a Marshall and Swift Pricing Cost List.

IP IAHM Williston Properties, LLC Quality Inn, asked for a value of -\$989,622 from the assessed value of \$5,266,270. They included a proforma and calculated their expenses different from what is acceptable for assessment.

Williston Hospitality LLC, Motel 6 they are requesting a value \$600,000 they used the 2018 sales price less personal property. They only included their deed and settlement statement as supporting documents.

Strata Williston Owner, LLC this is all townhomes by just to the east of Western Star Park. They do not have a requested value, however all the information and appraisal they submitted does consider them as apartments. Which they are not, they are single family platted houses.

Repool I, LLC This is a vacant lot in Sunset Subdivision behind a hotel on highway 2 west of town near Schlumberger. They are requesting a value of \$169,606 their comps that they provided are a mobile home park in Berthold, a lot in Devils Lake and one in Grand Forks.

The next protest is Baker Hughes Oilfield Operations, Inc. they are requesting a value of nine million dollars. They are including active listings in their comps including their own and use a Marshall and Swift Cost Management System which we do not utilize.

The next three are Halliburton Energy Services that we heard from Ms. King.

For more information on the Strata townhomes there is a complete listing with parcels for 2021.

5. Close Public Meeting

6. Board Actions Regarding Public Meeting

a. Individual Actions – Audience Comments and Protests

Commissioner Cymbaluk then addressed the Commission for comments on audience protests and people on the phone. He stated that he would make a couple of comments. Corey on your property I think what you have it may be fair today but the way you had it last year that is not big enough to file that abatement and go through that process. I do not know if we can do anything tonight on that one. Commissioner Cymbaluk continued that he feels both on Sperling's and Goebel they need to be looked at again look at the areas and the

properties in their immediate neighborhood. Those get to be tough to justify those type on numbers in my opinion.

**Motion by Brostuen, Seconded by Bekkedahl to make a motion to inspect and re-evaluate the Brad Goebel and Chris Sperling properties as presented.**

**AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Commissioner Bekkedahl recommended that the Blairtown Energy, John Hernandez property be re-evaluated. He knows that there is a provision for man camps giving them a time frame to move things off the property. Mayor Klug continued by agreeing with Bekkedahl but stated that if we are going to allow this, we need to put a timeline in place. Commissioner Cymbaluk asked if they wanted to give the land a value and the property owner a certain amount of time to remove that property. Commissioner Piesik suggested that they use the budget deadline in October as a date for the building to be removed. Christy Gutierrez, Williams County Tax Office, and Williston City Assessor suggested that they do an abatement if by July 1<sup>st</sup> that property is moved off. However, there are no exceptions for individuals who demolish a property halfway through the year. There are guidelines for abatements and that is not one of them. Darcy Anderson, Williams County Tax Director and Williston Assessor stated that the value on the building was based on the external view of the property that they were unable to do an inspection. There could be some adjustments if it is not hooked up to utilities anymore. After much discussion it was decided that the individual could file an abatement coordinate with the Williams County Tax and Assessors office for a new inspection and go from there. Any other action by the City would require a separate meeting. Mayor Klug asked who from the City would represent this information to the County, that until this building is moved the City does not recommend further action. Commissioner Bekkedahl said that he agrees with Darcy that this should be addressed in a separate City Commission meeting and agreements and timelines could be put in place then. Darcy Anderson, Williams County Tax Director and City of Williston Assessor then stated that her office did not have any contact information for Mr. Hernandez, that they would reach out by letter. So, no changes or recommendations are being made at this time.

**Motion by Brostuen, Seconded by Piesik that on the Blairtown Energy – John Hernandez property the owner file an abatement and have a re-inspection done.**

**AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Commissioner Cymbaluk then brought up Daisy Doney – 3733 Orange Willow Street (Harvest Hills Subdivision) Commissioner Brostuen asked Commissioner Cymbaluk if he felt that the value on this property was out of line. Commissioner Cymbaluk said not based off what he is seeing in our market, no. Outside of a few months last year the market was pleasantly surprisingly good. Mayor Klug agreed. Darcy Anderson, Williams County Tax

Director and City of Williston Assessor stated that one thing she noticed about the listings presented by Ms. Doney, they were on sale for a very short time a week to 10 days.

**Motion by Brostuen, Seconded by Bekkedahl that the evaluation on Daisy Doney – 3733 Orange Willow Street stand as presented by Darcy Anderson.**

**AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

b. Individual Actions – Formal Protest Received Prior to Equalization

Commissioner Cymbaluk stated that these were the written requests on page one and two towards the rear of the book after the yellow page.

**Motion by Brostuen, Seconded by Bekkedahl that a finding be made that the comments and protests noted in the minutes have been reviewed by the City of Williston Board of Equalization and move that the recommendations of the Assessor’s Office regarding the protest be followed except where noted in the minutes.**

**AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

7. Corrections

Darcy Anderson, Williams County Tax Director and City of Williston Assessor presented the following corrections:

We recommend that all mobile homes on real estate be reduced by 5% to match the ratio that other properties are at. There is also a new Ag Soils Program and as always there were little bugs, and these properties did not get uploaded into our tax system. A complete list of corrections was included in the 2021 report.

**Motion by Brostuen, Seconded by Piesik that a finding be made that the changes and corrections as noted in the minutes have been reviewed by the City of Williston Board of Tax Equalization and recommend that the Assessor’s Office regarding the corrections be followed except where noted in the minutes.**

**AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

8. Exemptions

9. Homestead Applications

10. Veteran’s Credit Applications

11. Office Personnel Properties

12. Findings and Motions

FINDING #1:

Motion by Brostuen, Seconded Bekkedahl to move that a finding be made that Classifications of Property have been reviewed and find them proper as assessed or corrected as noted in the minutes.

AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

FINDING #2:

Motion by Brostuen, Seconded by Piesik to move that a finding be made that all Veteran's Credit Applications, Homestead Credit Applications and Exemption Applications have been reviewed by the City of Williston Board of Equalization and find them proper as presented or corrected as noted in the minutes.

AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

FINDING #3

Motion by Brostuen, Seconded by Bekkedahl that a finding be made that the valuation of properties owned by employees of the Williams County Tax Equalization Office have been reviewed by the City of Williston Board of Equalization and find them proper as presented or corrected as noted in the minutes.

AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

FINDING #4

Motion by Brostuen, Seconded by Piesik that a finding be made that the overall Assessment Roll for the City of Williston for 2021 has been reviewed and find it proper as assessed or corrected as noted in the minutes.

AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

MOTION #1:

Motion by Brostuen, seconded Bekkedahl by that based on the preceding findings and a thorough review of the Assessment Rolls and Statistical Reports, The City of Williston Board of Equalization declare the City of Williston Assessments for 2021 Equalized as assessed or corrected as noted in the minutes.

AYE: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

13. Adjourned meeting at 8:00 pm

Motion by Brostuen, Seconded by Bekkedahl to adjourn the meeting.

UNANIMOUS BY VOICE VOTE