



LIVONIA TOWNSHIP
BOARD OF APPEAL AND EQUALIZATION
HELD AT THE LIVONIA TOWNSHIP HALL
APRIL 23, 2018

Township Supervisors present: Butch Hass, Kevin Hiller, Todd Maloney and Sheldon Pool

Township Staff present: Jody Hammre, Clerk/Treasurer and Kellie Fiedler, Deputy Clerk/Treasurer

County Assessor Staff present: Greg Olson, County Assessor; Kristi Botzek, Livonia Township Residential and Agricultural Appraiser; Shelly Maloney, Computer Specialist/Residential Appraiser.

Chairman Hass called the Local Board of Appeal and Equalization to order at 6:02 pm

Hass turned the meeting over to Greg Olson, County Assessor.

Olson introduced himself and proceeded to review 2018 Livonia Township Assessment data. Olson reported that residential values increased by 9.92% overall. There were 73 Livonia Township sales and 1,381 Sherburne County sales. The 5 year history and ratio chart shows that the 2018 percentage at 84.3% would be too low for the Department of Revenue to accept so adjustments to assessed values had to be increased by 9.92% to reach an acceptable ratio of 92.65%. The goal is to get an average ratio for all Townships of 93% to 94%. This adjustment is very close to the target ratio. Overall, agricultural values changed (decreased) -1.65%. Commercial and Industrial values increased 4.93%. Total taxable new construction was \$8,305,500. Total Township Market Value is \$592,942,500.

Botzek then explained the sales ratio study and the required ratio. Sales from October 1, 2016 to September 30, 2017 were used for the estimated market value for the 2018 assessment figures. The sales ratio study resulted in a median sales ratio of 84.3% using 73 good arms-length sales. The building schedule was increased between 3% and 10% throughout the County. Residential and agricultural building sites increased from \$36,000 to \$38,000. Vacant residential sites were increased from \$26,400 to \$27,700. The remaining acre rate, over one acre, increased from \$4,500 to \$4,800 per acre. Low acreage remained the same at \$1,000 per acre. Lakeshore values for the Livonia lakes (Lake Fremont, West Hunter Lake and East Hunter Lake) remained the same. The ending ratio for Livonia Township is 92.65%. Permit activity in 2017 included: 35 single family home permits and 189 miscellaneous permits for a total of 201 permits issued. In 2016 there were 165 miscellaneous permits, 30 of which were new home permits.

Reassessment was completed in Livonia Township the summer of 2017. Botzek viewed 342 properties. The reassessed properties were located in sections 17, 18, 19, 20, 21, 28, 32, and 33. Developments included Sugarbush Trails, Sugarbush West, Hobby Acres, Hollander Oaks Additions, Oak Haven Estates Additions, Meadows Additions, Meadowview, Sportsmen Paradise, Oak Grove, Goldy Refuge, Oakes and Meadows, Pine View Estates Additions and Heritage Oaks. Botzek went on to explain the charts, graphs and value information included in the information packet.

Paul Christensen, 14295 277th Ave NW, PID 30-006-2001 was present to make an appeal. Christensen explained that he is appealing the decision of Sherburne County to deny his request to change his land classification to Ag 2a so that he could apply for Green Acres of his 22.13 acre farm. He explained the Minnesota Statute that sets out the requirements for Green Acres. He went through each requirement and how he met each requirement. He also detailed his non-traditional farming practice which includes rotational grazing with moveable electric fencing. He also listed the products that he sells from his farm animals and explained that he is a business (LLC) and reports his business profits and pays taxes on those profits. Christensen said he offered photos and proof that he uses the acreage on a rotational basis with movable fencing, but they were not requested for review.

Botzek then explained the difficulty in evaluating a non-traditional farming practice and that one of the requirements for Agricultural Land classification and to qualify for Green Acres is to have 10 contiguous acres in production. She also said the lack of permanent fencing on this parcel was an issue in their perception of a farm with livestock. In researching this request the Assessor's office asked neighboring Counties if they had experience with a non-traditional farm similar to



Christenson's as well as a Department of Revenue employee. Their opinion was that this property would not be considered an Agricultural property.

Christensen replied that his farm meets all of the Agricultural Land classifications as set forth by Minnesota State Statute. The Statute does not have a per acre requirement for animals or permanent fencing so he does not agree that his business should be penalized for a business model that is not a large conventional farm.

Christensen expressed his commitment to running his farm to be environmentally sustainable, protecting the land and water on his property with sustainable farming practices. He also is able to produce all of his own electricity with a grid tied solar array, and they heat with wood using wood from oak trees affected by oak wilt. Though his farm is not conventional, it follows a more sustainable farming model.

Supervisor Pool commented that he thinks Christenson had demonstrated that his farm meets the requirements for Ag classification. Hass disagreed and commented that if Christenson permanently fenced the perimeter of the farm and then subdivided it with permanent fencing his opinion would change. Hiller asked if the perimeter could be fenced. Christenson replied that the perimeter is fenced but that fence is not adequate to hold in goats. He also stated that if he were forced to erect permanent fencing it would be cost prohibitive and not necessary as he can easily move his solar powered electric fencing to the appropriate location on the farm. He said that he moves his fence approximately every 4th day to manage his property, adjusting the period based on the grazing pressure.

Olson reiterated the statute requirement of 10 acres under production. He questioned that there are 10 acres in production. Christensen pointed out that the land is under production even if it is not grazed every day, that a big part of his production model is to rotationally graze his land so that it can recover and be more productive and not degraded.

Botzek added that when the land was first looked at in response to the request to reclassify, Christensen was not yet producing, and that the parcel can be reevaluated again.

Christensen asked what he can do because he feels he already complies with the requirements set forth by the Statute. Botzek said she can continue to monitor the parcel and resubmit the request in the future. She also said the Town Board is welcome to view the land with her in the future. She outlined the timeline for assessments and the impact of a favorable vote tonight.

Pool made a motion to accept the request to change the parcel classification to Ag 2.

Olson then explained that the Board is capable of making classification changes as long as that classification qualifies. The Assessor's office does not think this parcel qualifies because of the 10 acres of production rule. Christenson asked why he was instructed to come to this meeting to appeal if the vote had no purpose. Botzek explained that in order to appeal at the County Board he would have to appeal at the Township level first.

Hass asked for a second on the motion on the table. Maloney seconded. The motion was passed 3 in favor and 1 against.

Moved by Hass, seconded by Maloney to adjourn the Local Board of Appeal and Equalization at 7:07 pm.

Approved by the Livonia Town Board this 21st day of May 2018

Chairperson or Vice Chairperson

Clerk/Treasurer or Deputy Clerk/Treasurer