



## 2024 VALUE ADJUSTMENT BOARD

### MEETING MINUTES

AUGUST 14, 2024

9:30 A.M.

CITY COUNCIL CHAMBER

Council Member Will Lahnen, Chair  
Council Member Joe Carlucci  
Council Member Rahman Johnson, Alternate  
School Board Member Darryl Willie  
Council Appointed Citizen Member Shirley Dasher, **Excused**  
School Board Appointed Citizen Member Dominic Cummings

---

#### In attendance:

Margaret M. "Peggy" Sidman – Value Adjustment Board Clerk  
Heather Pelegrin, Assistant Chief of Legislative Services – VAB  
Johnathan Griffis – VAB Staff  
Andrew Cable – VAB Staff  
Merriane Lahmeur – Chief of Legislative Services  
William H. Jeter, Jr. – VAB Attorney  
Jamey Crozier – Executive Council Assistant, Council Member Lahnen  
George Foote – Executive Council Assistant, Council Member Carlucci  
Andrew Powers - Executive Council Assistant, Council Member Johnson  
Tiffany Pinkstaff – Counsel to Property Appraiser Joyce Morgan  
Joyce Morgan – Property Appraiser  
Keith Hicks – Chief Appraiser, Property Appraiser's Office  
Harry Guetherman – Commercial Division Chief, Property Appraiser's Office  
Jim Ogburn – Residential Division Chief, Property Appraiser's Office  
Sage Sullivan – Tangible Personal Property Division, Property Appraiser's Office

Meeting convened 9:37 AM

Chair Lahnen convened the meeting, and the attendees introduced themselves for the record. The Chair welcomed the new City Council and School Board members to the VAB.

William Jeter, VAB Attorney, polled the Appointed Citizen Board Members regarding their qualifications under state law and Florida Department of Revenue regulations – Board Member Cummings confirmed his compliance with all requirements. In Board Member Dasher's excused absence, Mr. Jeter confirmed that she complied with the property ownership requirement and has previously served on the Board and met the other requirements during that period of service.

## Introduction of Board Clerk

Peggy Sidman, VAB Clerk, introduced herself and the VAB Staff. She reported that over 4,400 petitions were received last year in the 25-day petition application window, of which 988 went to hearings. The Property Appraiser's staff meets with property owners after the filing deadline to discuss the valuation and attempt to reach a mutually acceptable valuation. If that effort is unsuccessful then the matter goes to a hearing before a Special Magistrate.

## Department of Revenue Informational Video

Board members watched the video which outlined the role and responsibilities of VAB members and the various participants in the Value Adjustment Board hearing process. It provided a general overview of Florida's property taxation system and the property valuation process. It emphasized the quasi-judicial role of the Board and the need to maintain strict neutrality in dealing with property owners and the Property Appraiser's Office. The VAB is represented by private attorneys who advise them on Florida law and regulations that impact the Value Adjustment Board process. Special Magistrates are appointed to hear the cases and provide recommendations to the VAB for their final decision.

## Fiscal Year 2024-2025 VAB budget update

Ms. Sidman reported that the August 8<sup>th</sup> Finance Committee budget hearing decreased the City Council's requested budget for professional services by \$40,000. She requested an additional \$65,000 for VAB's Professional Services budget for FY24-25 which was approved. There is a shortfall in the VAB budget for the current fiscal year of \$65,000 that was covered by sweeping all available resources in the VAB budget and covering the remainder from the City Council budget.

## Appointment or Ratification of Private Legal Counsel for VAB

Ms. Sidman recommended that the budget for the VAB Attorney's salary remain flat at \$110,000 annually for next year and that VAB specifically include the filing of motions to dismiss cases where VAB is an improper party in the contract as a duty. Board Member Cummings said Mr. Jeter's salary has been flat at \$110,000 annually since 2019 while the number of cases processed has quadrupled and the Special Magistrates have received pay increases in recent years.

**Motion** (Cummings): increase the VAB Attorney's salary to \$120,000 annually inclusive of filing for dismissals of VAB as an improper party. 2<sup>nd</sup> by Board Member Johnson.

Council Member Joe Carlucci said he would be abstaining from the vote due to a business-related conflict involving Mr. Jeter but would participate in the debate. He asked if the VAB Attorney position is a full-time position and how many hours it takes to do the job. Ms. Sidman said it is not a full-time job and the amount is a flat fee, not an hourly rate. Mr. Carlucci asked when the job was last opened up for competition. Ms. Sidman said Mr. Jeter has done the job since 1988. Chair Lahnen asked if the meeting had to be adjourned immediately pursuant to state law if the Board could not approve the Private Legal Counsel contract; she said it would and VAB could then advertise for other candidates. Chair Lahnen suggested a compromise salary of \$115,000 annually. Board Member Willie said advertising the position might be justified to see who else might be interested in serving. Ms. Sidman said an open application process might produce qualified candidates, and the current Attorney is free to apply again to be considered.

Council Member Johnson asked when most counties end their VAB work for the year. Assistant Chief Legislative Services – VAB, Heather Pelegrin, said some counties close in January or February, Jacksonville closed in August this year because of the volume of petitions and the number of hearings, continuances and remands. She said Orange County, which is similar to Jacksonville, closed on the first of June. Miami-Dade County has a huge volume of cases and is still open for the 2023 VAB year. Mr.

Jeter said Miami-Dade is not really comparable to any other county because of its size and volume of petitions; Orange, Hillsborough and Pinellas counties would probably be comparable to Jacksonville. He said VAB is an independent entity established by state law, not a branch of City Council, and is required by statute to receive petitions and provide due process to Petitioners. Regardless of what City Council appropriates in its budget, VAB is required by law to perform all of its mandated functions, and the City is required to fund 3/5 and the School Board to fund 2/5 of that cost.

**The Cummings motion Failed 2-2-1** (Lahnen & Willie opposed; Carlucci abstained)

**Motion** (Johnson): increase the VAB Attorney's salary to \$115,000 annually inclusive of filings for dismissal of VAB as an improper party. 2<sup>nd</sup> by Chair Lahnen.

**The motion was Approved 3-1-1** (Willie opposed; Carlucci abstained)

Mr. Jeter said he has been proud to represent VAB for 35 years and is only seeking an increase in compensation because the workload has increased dramatically. The Special Magistrates pay rate was increased and they are paid based on the number of cases they hear. He was not consulted about the \$115,000 annually rate and is not willing to accept that rate of pay and respectfully declined the offer.

Ms. Sidman said the Board needs to decide if it wants to advertise the position and should adjourn the meeting and reschedule another Organizational Meeting after a new private Attorney is selected. Board Member Johnson asked if Mr. Jeter would be willing to stay on in some role to provide his great historical knowledge. Mr. Jeter said the state law says the VAB sets the salary for the private Attorney. His contract for the 2023 VAB year runs through the end of September 2024, and he is willing to continue serving as VAB's Attorney until then if needed. He is willing to serve on a pro bono basis for the remainder of today's meeting to allow it to continue and take up the remainder of its agenda. Ms. Sidman recommended that the Board authorize an advertising process for the position and let her undertake that. Heather Pelegrin said the petition filing period opens in 2 days and a filing fee needs to be set for the staff to know what to charge. The hearing window will open soon, and hearings cannot take place until a VAB Attorney is hired. Board Member Johnson said there is business that must be done and VAB can't just stop in its tracks.

Ms. Pelegrin stated that the filing fee must be set by the Board, and it has been \$15 for many years. Mr. Jeter said Chapter 287 of state law exempts Attorney for Boards from being subject to the usual advertised hiring process; he has a letter from the DOR saying VAB is exempt from the advertising process for its Attorney. The only requirements to be a VAB Attorney are to be a licensed Attorney, and they must have 5 years of taxation experience. It may put VAB in an uncomfortable position if the Board simply chooses the "low bidder" and gets someone very inexperienced. He suggested making inquiries about potential good candidates and choosing one by that means.

Ms. Pelegrin clarified her earlier comments by saying that the first hearings cannot be held until after the Board holds its Organizational Meeting and if that didn't happen until late September then VAB could not meet the early October deadline as the latest date to start hearing cases. She said the Board can act on agenda items 6, 8, 10, 11 and 12 today.

#### Appointment or Ratification of Special Magistrates

Ms. Pelegrin said 15 candidates applied for the Special Magistrate positions, all are qualified, and all have served for the Duval County VAB before.

**Motion** (Johnson): Hire all 15 Special Magistrate candidates at \$125 an hour, contingent on their completion of all VAB requirements including state mandated training and with the inclusion of the added language to their contract regarding a single payment for identical cases (such as condominium units) – 2<sup>nd</sup> by Board Member Willie. **Approved unanimously via a voice vote.**

### Local Administrative Procedures and Forms

**Motion** (Johnson): Approve the local administrative procedures and forms as presented – 2<sup>nd</sup> by Board Member Cummings. **Approved unanimously via a voice vote.**

### 2024 Filing Fee

Chair Lahnen said the \$15 fee has not been raised in over 20 years, does not meet VAB's costs, and is no deterrent to the filing of frivolous petitions.

**Motion** (Johnson): VAB will petition the Duval Legislative Delegation to increase the VAB filing fee. 2<sup>nd</sup> by Board Member Carlucci.

Ms. Sidman stated that the Duval Legislative Delegation's local meeting is coming up shortly and that would be an opportunity for VAB to make its case directly to the legislators. Board Member Johnson recommended making the petition in writing, not just as a comment at a meeting. Ms. Sidman volunteered to draft a petition document for consideration at the next meeting. Mr. Jeter said the purpose of VAB is to provide the average citizen with a means to challenge a valuation of their property that they feel is unfair. A low fee gets that average citizen access to a fair procedure to make their case to the government without needing to be able to afford an Attorney and go to Circuit Court. He believes that everyone who files a petition feels like they have a legitimate case and isn't trying to abuse the system. He urged consideration of how much a citizen should be charged to access their government.

**Motion** (Johnson): charge a filing fee of \$15 for 2024 – 2<sup>nd</sup> by Board Member Carlucci. **Approved unanimously via a voice vote.**

### Tentative Schedule for 2024 VAB Special Magistrate Hearings

The hearings will begin in October 2024 and run until all petitions have been heard, approximately April 2025.

### Monthly VAB Meeting Schedule for 2024 VAB Year

**Motion** (Johnson): approve the meeting dates as shown on the agenda – 2<sup>nd</sup> by Board Member Carlucci. **Approved unanimously via a voice vote.**

Mr. Jeter said various documents and statutes are available through the VAB staff to any interested citizen, including Rule Chapter 12D-9, F.A.C.; Rule Chapter 12D-10, F.A.C.; the Government in the Sunshine Manual, and Uniform Policies and Procedures Manual for Value Adjustment Board, Rules 12D-51.101, 51.102, 51.103, F.A.C.; and Chapters 192 through 195, Florida Statutes.

Chair Lahnen said he will work with Ms. Sidman on advertising the VAB Attorney position and Board Member Johnson will work with Ms. Sidman on a petition to the Duval Delegation regarding the petition filing fee.

Ms. Sidman said she will contact Attorneys that serve VABs in other counties to see about their interest in our position. She asked the Board to give her a maximum salary number, so she knows what to advertise.

**Motion** (Johnson): Authorize the VAB Attorney position to be advertised at a salary of \$115,000 annually inclusive of filings for dismissal of VAB as an improper party.

**Motion** (Cummings): Amendment to the Johnson motion to the current salary of \$110,000 annually inclusive of filings for dismissal of VAB as an improper party. 2<sup>nd</sup> by Chair Lahnen.

Chair Lahnen asked if both the City Council Member and the Council Alternate could vote; Mr. Jeter recommended that they both not vote.

**The Cummings motion was Approved 3-1** (Carlucci).

Mr. Jeter cautioned that Jacksonville's VAB is very different than most in the state, so staff should be sure to be very explicit in describing the nature and volume of the job in the advertisement so candidates know what they're getting into and what their workload commitment will be. Ms. Sidman asked to be allowed to run a usual City full hiring process and arrive at several good candidates to recommend to the Board. Chair Lahnen asked that the finalist candidates' information be provided to the VAB Members in advance of the next meeting to review before being asked to vote.

Meeting adjourned at 11:02 AM.

Jeff Clements – Council Research Division

[jeffc@coj.net](mailto:jeffc@coj.net) 904-255-5137

Posted 8.20.24 9:00 a.m.