

Washoe DA Dick Gammick: Incline should be upset with state, not county

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INCLINE VILLAGE, Nev. — The top attorney for Washoe County believes Incline residents are taking their tax revolt fight to the wrong government entity — and hurling insults against the wrong person.

“What is amazing about this tax revolt issue is there is a really strong argument that Incline residents and Washoe County are not so much adversaries as allies,” said Washoe County District Attorney Dick Gammick, who met with the Bonanza last week. “There is a widely held perception in Incline that the county and the residents are on different sides of the issue, but this could not be further from the truth. I don't want the perception to persist.”

Gammick's words were in response to the Village League to Save Incline Assets' Feb. 8 e-mail blast, which criticized the county and Gammick for delaying repaying money to Incline taxpayers by appealing such decisions.

“The district attorney's office does not dictate policy,” Gammick said. “When the county is sued, we present the party we represent with the different options and give legal advice. The ultimate decision on whether to pursue litigation is with the board of county commissioners. It's a policy decision.”

Incline residents represented by the league have the right to be upset with their tax assessments, Gammick said; however, he said gripes should be with the state, not Washoe

County, as the state has not provided county tax assessors with the proper rules and regulations for property tax assessment.

“In Nevada, county assessors charged with assessing property do so according to a 1981 taxable value system,” Gammick said. “It is an extremely complicated system which factors property according to two categories — land and buildings — while figuring in replacement costs. It might as well be written in Greek.”

Gammick said former Assessor Bob McGowan and current Assessor Josh Wilson have operated as best they could under “the broken state system.”

“The assessors were trying to work a system that has no regulations or standards,” Gammick said. “With the guidance provided to Bob and Josh, they did the best they could under the circumstances. The taxpayers of IV/CB are on the same side. Together, we need to push the state to get its tax regulations in order.”

Residents can learn more about the Village League and read the latest e-mail blast at www.nevadapropertytaxrevolt.com.

Village League response

Maryanne Ingemanson, president of the Village League, said she recognizes Gammick's claims the state left the county in a bad position, but asserted that IV/CB property owners are only concerned about

being taxed fairly and receiving their rightful refund.

“If the county believes the state is at fault, that is between the county and the state and falls under the ‘not my problem’ category,” Ingemanson said. “We didn’t start out to change state law, we just want to be treated fairly.”

She said the county could have solved this issue way back when the Village League took on the tax revolt issue in 2002.

“I am dumbfounded that this issue is still tied up in litigation,” Ingemanson said. “All I and other members of the league wanted was justice for IV/CB taxpayers. At the very beginning, I thought it was a matter of simple oversight. We were willing to settle for \$55,000, but the county continued to fight the matter and their looming liability as it stands now is up to \$70 million.

“This is bad fiscal management. I think a lot of the county officials based their decisions on egos. They’re not thinking about the taxpayers.”

Gammick said his client, the county, has never mentioned to him settlement offers from the Village League.

“I am not aware of any offer made to my clients,” Gammick said. “Maybe it was offered to my client directly, but if so, that is in direct violation of ethical rules.”

Ingemanson still believes the county had an opportunity to solve the problem early on.

“The county was determined to win, but the court decisions have begun to pile up on our side,” she said. “Four Supreme Court rulings and seven district court rulings later, the county still refuses to accept the fact they were wrong. Meanwhile, the taxpayers are accruing close to a \$1 million a year in interest ...”

Cases still pending

Two major cases are still pending regarding the Village League.

The first is an appeal filed in district court on behalf of the league claiming a recent decision by the State Board of Equalization, which attempts to exclude certain taxpayers from a refund based on whether residents originally filed their taxes in protest, is beyond the board’s legal rights.

The second case is an appeal filed at the Nevada Supreme Court on behalf of Washoe County Treasurer Bill Berrum, claiming a Oct. 23 ruling by District Court Judge Brent Adams ordering Berrum begin refunding about 8,700 Incline Village and Crystal Bay property owners a total of \$13 million, is legally flawed.

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