

State of Illinois PROPERTY TAX APPEAL BOARD

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Minutes of the Property Tax Appeal Board Meeting Held on October 12, 2016 Des Plaines, Illinois

1. Roll Call: Chairman Mauro Glorioso; Jim Bilotta; Robert J. Steffen, Dana D. Kinion, and Kevin Freeman (via conference call).

Staff: Louis G. Apostol, JD, CAE, Executive Director & General Counsel;

Steve Waggoner, Chief Administrative Law Judge (via conference call),

Dianne Lerman, Recording Secretary.

Mr. Glorioso convened the meeting at 10:00 a.m. All members were present, Mr. Bilotta joined the meeting at 10:10 a.m. and Mr. Freeman joined the meeting by conference call at approximately 10:15 a.m.

2. Approval of Board Minutes from the September 13, 2016 Meeting:

Mr. Steffen moved to approve the Board Minutes of September 13, 2016 as presented. Mrs. Kinion seconded the Motion and it carried 3-0.

3. Adoption or Amendments to the Agenda:

Mrs. Kinion moved to adopt the Agenda as presented with the addition of Par-A-Dice Gaming Corporation / City of East Peoria, Tazewell County: #14-01111 (added under Section 5. Discussion of Motions). Mr. Steffen seconded the Motion and it carried 3-0.

Mr. Bilotta moved to allow Mr. Freeman to join the Meeting via conference phone. Mr. Steffen seconded the Motion and it carried 4-0.

4. Executive Director's Report

Mr. Apostol reviewed the agency's current operations and the FY17 Expense Report. He reported PTAB expended only 18% of the FY17 approved budget through the first three months of the fiscal year. He further reported this is partly due to open positions and strict control over agency expenses.

BOARD MEMBERS

Mr. Apostol reported he looks forward to recruiting additional ALJs at both the Des Plaines and Springfield offices. He stated in the interim PTAB will continue to utilize 75-day staff, at both the Springfield and Des Plaines offices, to assist in reducing the backlog of appeals.

Mr. Apostol reported budget negotiations with Labor Relations / AFSCME are still ongoing at this time. He stated he anticipates a final resolution of all issues in the next several months.

Mr. Apostol reported both he and Becky Hesse met with Sara Metzger, State Audit Manager and staff on September 28th in Springfield. He stated this was the preliminary meeting as part of the Audit of State Agencies. He further stated both he and Becky will be submitting multiple documents for review and plan to fully cooperate with all auditor directives.

Mr. Apostol reported on the progress of the DoIT program and other IT projects. He further reported (2) clerical staff are being recruited, trained and will be assigned to scan all incoming appeals starting in Tax Year 2016. He stated a further update will be presented to the Board in Springfield on November 15th.

Mr. Apostol reported he attended the Governor's Rapid Response Program on October 5th in Chicago at the JRTC. He further reported he participated in the "Council of Counsels" program on October 6th and briefed the Board on some topics for discussion.

Mr. Apostol reported PTAB continues to be current with all Governor's Office of Citizen Action inquiries and FOIA requests at this time.

Mr. Apostol reported on plans for the "Staff Appreciation Day" at both the Springfield and Des Plaines Offices immediately following the Board Meeting on Tuesday, December 13th.

Mr. Apostol reminded the Board the next meeting is scheduled for Tuesday, November 15th at 10:00 a.m., in Springfield.

Mrs. Kinion moved to accept the Executive Director's Report. Mr. Steffen seconded the Motion and it carried 4-0.

5. Discussion of Motions

Par-A-Dice Gaming Corporation: #14-01111-C-3 / Intervenor City of East Peoria, Tazewell County

Mr. Bilotta moved to deny the Intervenor's Request for Hearing and Objection. Mr. Freeman seconded the Motion and it carried 5-0.

a. Barry Mendel: #15-03986-R-1 (Lake)

Mr. Bilotta moved to deny the request for further extension and dismiss appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

b. Frederick Richards: #15-03529-R-1 (Lake)

Alfred Klairmont Imperial Realty Company: #15-03984-C-1 (Lake)

Robert Klairmont: #15-03989-R-1 (Lake) Alfred Klairmont: #15-03990-R-2 (Lake)

Howard & Melissa Dakoff: #15-03991-R-1 (Lake) Spruce Avenue, LLC: #15-03993-R-1 (Lake)

Roch Tranel: #15-03999-R-1 (Lake)

Kimberly J. Konigseder, Trustee: #15-04000-R-1 (Lake)

KB Oil Corporation: #15-04153-C-1 (Lake)

1509 N. Milwaukee Avenue: #15-04177-C-1 (Lake)

Mary Rouse: #15-04212-C-1 (Lake) Robert Klaskin: #15-04215-R-1 (Lake)

Bottomline Innovators II, LLC: #15-04225-R-1 (Lake)

Medline Industries: #15-04230-I-3 (Lake)

Frederick Forrest Richards III: #15-04231-R-1 (Lake) Jason Felicone Catfish, LLC: #15-04262-C-1 (Lake)

Daniel Ginnetti: #15-04273-R-1 (Lake)

James & Marilyn Rategan: #15-04324-R-1 (Lake)

Tim & Susan Morris: #15-04326-R-1 (Lake) David & Elizabeth Verkler: #15-04327-R-1 (Lake)

Alfred Klairmont Imperial Realty Co.: #15-04328-C-1 (Lake) Howard Wolff Promotion Plaza, LLC: #15-04498-C-1 (Lake)

Mr. Bilotta moved to grant a final 30-day extension in each of the Class 1 appeals and a final 60 day extension in the Class 2 and 3 appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

c. TMB Investment, LLC: #15-01973-R-1 (Kane)
Dave Scurto Cement: #15-01977-I-1 (Kane)
Gray Wing, LLC: #15-01978-I-1 (Kane)
Shananhan Enterprises: #15-01983-I-1 (Kane)
Shananhan Enterprises: #15-01984-I-1 (Kane)
Shananhan Enterprises: #15-01986-C-1 (Kane)
Shananhan Enterprises: #15-01987-I-1 (Kane)
Shananhan Enterprises: #15-01988-C-1 (Kane)

Mr. Glorioso moved to grant a final 30-day extension in each of the appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

d. Jason Felicone Catfish, LLC: #15-25442-C-1 (Cook – Lake View)
Monarca Investments, Inc.: #15-25532-C-1 (Cook – Palatine)

Bruce Goldberg: #15-25561-R-1 (Cook – Lake View) Charles Kurland: #15-25606-R-1 (Cook – New Trier) Bruce Hallmann: #15-25609-R-1 (Cook – Lyons) Cindy Fernandez: #15-25612-R-1 (Cook – Lyons)

515 Warwick, LLC: #15-25614-R-1 (Cook – New Trier) Today's Learning Center: #15-25616-C-1 (Cook – Palatine)

Fahim Lakhani 2750 Lawrence, LLC: #15-26526-C-1 (Cook – Lake)

2463 Lincoln, LLC: #15-26541-R-1 (Cook – Lake View)

Wrightwoods Eleven, LLC: #15-26646-R-1 (Cook – Lake View)

Micah Holycross: #15-26674-R-1 (Cook – Lake View) Christopher Moravec: #15-26784-R-1 (Cook – Lake View)

Barmac, LLC: #15-26786-R-1 (Cook – Lake View)

Christopher Moravec: #15-26788-R-1 (Cook – Lake View) 1133 Wrightwood, LLC: #15-26790-R-1 (Cook – Lake View)

Mr. Glorioso moved to grant a final 30-day extension in each of the appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

e. Fairhaven Christian Retirement Center: #15-02925-C-1 (Winnebago)

Fairhaven Christian Home: #15-03167-C-2 (Winnebago) Fairhaven Christian Home: #15-03182-C-2 (Winnebago)

Mr. Glorioso moved to grant a final 30-day extension in each of the appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

f. Crabapple Island Fairview, LLC: #15-03691-R-2 (Lake)

Mr. Glorioso moved to grant a final 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

g. James Athansopoulos: #15-25329-I-2 (Cook – Lake)

Mr. Glorioso moved to grant a 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

h. Nicholas Atsaves: #15-26166-C-1 (Cook – Lake View)

Mr. Glorioso moved to grant a 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

i. Essius, LLC: #15-04223-R-3 (Lake)

Mr. Glorioso moved to grant a final 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

j. Timothy Caldwell: #14-03670-R-1 (Alexander) Gerald Shumaker: #14-03681-F-1 (Alexander)

Mr. Glorioso moved to grant the Alexander County Board of Review a final 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

k. Patricia Carlson: #15-02294-C-1 (DeKalb)
Patricia Carlson: #15-02321-C-1 (DeKalb)
Patricia Carlson: #15-02322-C-1 (DeKalb)
Patricia Carlson: #15-02323-C-1 (DeKalb)

Mr. Steffen moved to grant the Dekalb County Board of Review a 90-day extension. Mr. Bilotta seconded the Motion and it carried 5-0.

1. Ferrum Holdings, LLC: #15-01967-I-1 (Kane) Ferrum Holdings, LLC: #15-01970-I-1 (Kane) First American Bank: #15-01972-C-2 (Kane)

> Slipmate, LLC: #15-01975-I-2 (Kane) Town Center, LLC: #15-01989-C-1 (Kane) Town Center, LLC: #15-01991-C-1 (Kane)

John Lardas: #15-01992-C-1 (Kane)

Aurora Supportive Living Center: #15-02001-C-3 (Kane)

Grove of Fox Valley: #15-02002-C-3 (Kane)

Geneva Nursing & Rehab Center: #15-02003-C-2 (Kane)

AutoZone Store #4427: #15-03538-C-1 (Kane)

Mr. Bilotta moved to grant the Kane County Board of Review a final 30 day extension in all of the class 1 appeals and a final 60-day extension in the Class 2 and Class 3 appeals. Mr. Steffen seconded the Motion and it carried 5-0.

m. Midwest Generation, LLC: #14-00728-I-3 (Will)
 Midwest Generation, LLC: #14-00729-I-3 (Will)
 Midwest Generation, LLC: #14-00730-I-3 (Will)

Mr. Bilotta moved to grant the Will County Board of Review a 90-day extension in each of the appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

n. Robert Mintz: #15-02005-R-1 (Lake) George Caritinos: #15-02159-I-1 (Lake) Nader Bozorgi: #15-02173-R-1 (Lake) Gary Davis: #15-02189-R-1 (Lake)

Lake County Hospitality LLC: #15-02695-C-3 (Lake) First American Management, Inc.: #15-03528-C-1 (Lake) JP Morgan Chase Bank N.A.: #15-03530-C-1 (Lake)

BRE/ESA Properties: #15-03531-C-3 (Lake) Arthur Aguilera: #15-03539-R-1 (Lake)

Bohdan Bilocerkowycz: #15-03540-R-1 (Lake)

C Landings LLC: #15-03553-C-2 (Lake) Scott Redina: #15-03554-R-1 (Lake) John Kathrein: #15-03555-R-1 (Lake) J. Barnes: #15-03556-R-1 (Lake)

J. Barnes: #15-03556-R-1 (Lake)
Pamela Jones: #15-03557-R-1 (Lake)
Antoinette Lundius: #15-03558-R-1 (Lake)
James Cerkleski: #15-03559-R-1 (Lake)
Elia Barrientos: #15-03560-R-1 (Lake)
John Johnson: #15-03562-R-1 (Lake)
Jay Randle: #15-03563-R-1 (Lake)
Roger Thompson: #15-03564-R-1 (Lake)
Jennifer Schneller: #15-03565-R-1 (Lake)

Raymond Goodbody: #15-03566-R-1 (Lake) Timothy Kelleher: #15-03567-R-1 (Lake) Praveen Velagapudi: #15-03569-R-1 (Lake)

Maria Rueda: #15-03570-R-1 (Lake) Juan Rodriguez: #15-03571-R-1 (Lake) Lester Motyka: #15-03577-R-1 (Lake) Richard Kasten: #15-03580-R-1 (Lake) Wendy Smothers: #15-03582-R-1 (Lake) Nage One LLC: #15-03586-C-1 (Lake) Nage One LLC: #15-03587-C-1 (Lake) Nage One LLC: #15-03589-C-1 (Lake) Victor Mittleberg: #15-03590-C-1 (Lake)

Richard & Nancy Crane: #15-03591-R-1 (Lake)

Linda Bozich: #15-03594-R-1 (Lake) John Kirkeeng: #15-03595-R-1 (Lake)

R. Kalat: #15-03599-R-1 (Lake) David Levitz: #15-03611-R-1 (Lake) Michael Fine: #15-03612-R-1 (Lake) P. Katz: #15-03616-R-1 (Lake)

Bill Vaselopulos: #15-03619-C-2 (Lake) Supervalu Inc.: #15-03624-C-3 (Lake) Sheila Teague: #15-03625-R-1 (Lake) Sheila Teague: #15-03626-R-1 (Lake)

IH2 Property Illinois, LP: #15-03636-R-1 (Lake)

David Waxman: #15-03638-R-1 (Lake) Daniel Sobelman: #15-03639-R-1 (Lake) Eretz Properties: #15-03644-R-1 (Lake)

Josh Herz: #15-03650-R-1 (Lake)

THR Property Illinois LP: #15-03651-R-1 (Lake)

Danielle Katz: #15-03652-R-1 (Lake) Park Place Partners: #15-03675-C-2 (Lake) The Elgin Company: #15-03676-C-2 (Lake)

Sundance Investments LLC: #15-03678-C-1 (Lake)

Andrew Lerrick: #15-03703-R-1 (Lake) Roland Frankel: #15-03704-C-1 (Lake)

JP Morgan Chase Bank, N.A.: #15-03709-C-2 (Lake)

Bernadette Maurice: #15-03716-R-1 (Lake)

Nilesh Patel: #15-03717-R-1 (Lake)

James & Mary Browne: #15-03758-I-1 (Lake)

Andrew Betts: #15-03762-R-1 (Lake)
Pam Leventis: #15-03767-R-1 (Lake)
Angelo Perino: #15-03770-R-1 (Lake)
Paul Weiss: #15-03776-R-1 (Lake)
Stuart Kaufman: #15-03777-R-1 (Lake)
Barry Seth: #15-03778-R-1 (Lake)

Marlene Rubinow: #15-03780-R-1 (Lake) Heather Silhavy: #15-03787-R-1 (Lake) Renee Hecht: #15-03789-R-1 (Lake) Judy Schoenberg: #15-03790-R-1 (Lake) Sheldon Rosenstein: #15-03795-R-1 (Lake) Neil Rubenstein: #15-03797-R-1 (Lake) Sylvia Landau: #15-03801-R-1 (Lake) Leonard Cahnmann: #15-03808-R-1 (Lake)

Paul Yoo: #15-03809-R-1 (Lake)

James Chorzempa: #15-03878-C-1 (Lake)

Raymond & Candace Seibert: #15-03883-R-1 (Lake)

Alan & Gail Newberg: #15-03884-R-1 (Lake)

John Depa: #15-03886-R-1 (Lake)
Donald Trunnell: #15-03888-R-1 (Lake)
David Keith: #15-03892-R-1 (Lake)
Richard Pietranek: #15-03930-R-1 (Lake)
Donna Schrack: #15-03934-R-1 (Lake)
Thomas Gust: #15-03935-R-1 (Lake)
Thomas Tyndorf: #15-03936-R-1 (Lake)
Robert Tate: #15-03940-R-1 (Lake)

James Reddy: #15-03940-R-1 (Lake) Robert Powers: #15-03942-R-1 (Lake) Edward John: #15-03943-R-1 (Lake)

Karen Tischhauser: #15-03944-R-1 (Lake) IH# Property Illinois LP: #15-04448-R-1 (Lake)

Mr. Bilotta moved to grant the Lake County Board of Review a final 30-day extension for each Class 1 appeal and a final 60-day extension for each Class 2 and Class 3 appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

o. Steve Spinell: #14-27374-I-2 (Cook – Northfield)

Mrs. Kinion moved to grant a final 30-day extension to Intervenors, Glenbrook H.S.D. #225 and Northbrook S.D. #27. Mr. Bilotta seconded the Motion and it carried 5-0.

p. Loan Oak-Matteson, LLC: #15-00444-I-3 (Will)

Mr. Glorioso moved to grant Intervenor, University Park Public Library District, a final 90-day extension. Mr. Freeman seconded the Motion and it carried 5-0.

q. Danish Ismail: #15-03429-C-2 (Lake)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Grayslake H.S.D. #127. Mr. Freeman seconded the Motion and it carried 5-0.

r. Pactiv: #15-02213-C-3 (Lake)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, C.H.S.D. #128. Mr. Freeman seconded the Motion and it carried 5-0.

s. Eugene Jarvis: #15-01903-R-3 (Lake)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Lake Bluff S.D. #65. Mr. Freeman seconded the Motion and it carried 5-0.

t. Richard Laskowski: #15-03428-C-2 (Lake)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Waukegan C.U.S.D. #60. Mr. Freeman seconded the Motion and it carried 5-0.

u. Zion Investment Group, LLC: #15-01638-C-2 (Lake)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Zion Elementary S.D. #6. Mr. Freeman seconded the Motion and it carried 5-0.

v. ITW Buildex: #15-01679-I-2 (Kane) Fox River Business Center Land, LLC: #15-01681-I-2 (Kane)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, C.U.S.D. #300 in each of the appeals listed above. Mr. Freeman seconded the Motion and it carried 5-0.

w. Michael Sale: #15-01891-R-2 (Lake) CRP Holdings, Pfingsten, LLC: #15-02304-C-3 (Lake) Ronald Kingsley: #15-02627-R-2 (Lake)

Mr. Glorioso moved to grant a final 60-day extension in each of the appeals listed above to Intervenor, Deerfield Park District. Mr. Freeman seconded the Motion and it carried 5-0.

x. Walgreens: #15-01061-C-2 (Kane) Walgreens: #15-01064-C-2 (Kane)

Mr. Glorioso moved to grant a final 60-day extension in each of the appeals listed above to Intervenor, City of Aurora. Mr. Freeman seconded the Motion and it carried 5-0.

y. Kohl's Illinois, Inc.: #15-01225-C-3 (Kane)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Batavia Public S.D. #101. Mr. Freeman seconded the Motion and it carried 5-0.

z. Walgreens: #15-01198-C-3 (Kane)

Mr. Glorioso moved to grant a final 60-day extension to Intervenors, City of Aurora and Batavia Public S.D. #101. Mr. Freeman seconded the Motion and it carried 5-0.

aa. Walgreens: #15-00940-C-3 (Kane)

Mr. Glorioso moved to grant a final 60-day extension to Intervenor, Geneva C.U.S.D. #304. Mr. Freeman seconded the Motion and it carried 5-0.

bb. Douglas Smith Sky Team, Inc.: #15-01993-C-3 (Ogle)

Mr. Bilotta moved to grant a final 90-day extension to Intervenors, Rochelle C.C.S.D. #231 and Rochelle T.H.S.D. #212. Mr. Steffen seconded the Motion and it carried 5-0.

cc. John Hancock Life Insurance, USA: #15-01715-I-2 (Lake) John Hancock Life Insurance, USA: #15-01792-I-2 (Lake) ECD Company: #15-02277-C-2 (Lake)

Mr. Bilotta moved to grant a final 60-day extension to Intervenors, Adlai E. Stevenson H.S.D. #125 and Aptakisic-Tripp S.D. #102. Mr. Steffen seconded the Motion and it carried 5-0.

dd. Sunset Foods: #15-02289-C-3 (Lake)
Lake Cook Hospitality, LLC: #15-02695-C-3 (Lake)

Mr. Bilotta moved to grant a final 60-day extension to Intervenors, Adlai E. Stevenson H.S.D. #125 and Kildeer Countryside C.C.S.D. #96 in each of the appeals listed above. Mr. Steffen seconded the Motion and it carried 5-0.

ee. Michael Staab: #12-34530-R-1 (Cook – New Trier)

Mr. Glorioso moved to grant the Motion to Vacate the Decision and Dismiss Appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

ff. Beloit Memorial Hospital, Inc.: #11-01316-C-3 (Winnebago)
Beloit Memorial Hospital, Inc.: #12-03161-C-3 (Winnebago)
Beloit Memorial Hospital, Inc.: #13-02484-C-3 (Winnebago)
Beloit Memorial Hospital, Inc.: #14-02621-C-3 (Winnebago)
Beloit Memorial Hospital, Inc.: #15-04131-C-3 (Winnebago)

Mr. Steffen moved to grant the Joint Motion to Stay proceedings in each of the appeals listed above. Mr. Bilotta seconded the Motion and it carried 5-0.

gg. Charles & Esther Boles: #15-00290-R-1 (Boone)

Mr. Bilotta moved to reinstate the appeal and grant a final 30-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

6. Attachments

Decisions A – F and Z

As to Attachment A, Mrs. Kinion moved to approve the attachment. Mr. Freeman seconded the Motion and it carried 5-0.

As to Attachment B, Mr. Steffen moved to approve the attachment. Mr. Freeman seconded the Motion and it carried 5-0.

As to Attachment C, Mr. Bilotta moved to approve the attachment. Mr. Steffen seconded the Motion and it carried 4-0 with Mr. Glorioso recusing.

As to Attachment D, Mrs. Kinion moved to approve the attachment. Mr. Bilotta seconded the Motion and it carried 4-0 with Mr. Freeman recusing.

As to Attachment E, Mr. Steffen moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 4-0 with Mr. Bilotta recusing.

As to Attachment F, Mr. Glorioso moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 4-0 with Mr. Steffen recusing.

As to Attachment Z, Mr. Glorioso moved to approve the attachment. Mr. Steffen seconded the Motion and it carried 5-0.

Workload Report

Mr. Apostol presented and reviewed the September 30th Workload Report. He stated this report reflects open appeals at the beginning of the year, new appeals added during the year, appeals closed during the year and appeals pending at the end of the year. He reported ALJ staff produced 2,479 decisions in September. He further reported staff produced a total of 8,760 decisions in the first three months of the fiscal year. He stated PTAB produced more decisions in the first three months of FY17 than for the entire year in FY04. He stated staff continues to work toward reducing the backlog of appeals and he is meeting with staff to review current systems in an effort to streamline the decision process.

Mr. Apostol presented graphs prepared by IT that reflect, Weekly ASI Visits, Decisions Viewed Weekly, Weekly PTAB Website Visits, Board Portfolios Viewed Weekly, Letters Viewed Weekly, Board Decisions by Month and Xerox Pages printed Monthly. He noted both taxpayers and practitioners are utilizing the website more to track the progress of appeals and to download information. He stated this has saved significant staff time and reduced duplication expenses. He further stated this information will continue to be presented at all future PTAB meetings.

7. Other Business

There was no "Other Business" to discuss at this time.

8. Adjournment

Mr. Freeman moved to adjourn the meeting at 11:15 a.m. Mr. Steffen seconded the Motion and it carried 5-0.

Respectfully submitted,

Louis G. Apostol, JD, CAE Executive Director & Legal Counsel

LGA/dl