



Town Clerk/Treasurer's Office
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MINUTES OF BOARD OF CIVIL AUTHORITY MEETING

The Board of Civil Authority within and for the Town of Morristown reconvened on Tuesday, the 9th day of September, 2014, at 5:30 PM, at the Senior Citizens' Center at 24 Upper Main Street, Morrisville in said town.

Members present: R Bedell, M Demars, E Dodge, F Favreau, C Hindes, M Mason, B Paine, S Rooney, R Stancliff, E Wilson, B Kellogg, M Smith and M A Wilson, Clerk.

AGENDA:

1. Chairman Favreau reconvened the meeting of August 12, 2014 at 5:30 PM.
2. BCA members and appellant were warned that they are still under oath from 8/12/14.
3. Minutes of 8/12/14 were approved upon motion.
4. The inspection committee submitted its report for William J. Cardinal, Parcel # 08021-02.
5. After discussion, the Report of the Inspection Committee was approved upon motion and submitted to the clerk.
6. The decision: The BCA is in agreement that William Cardinal is the owner of a .40 acre lot and builder of a house at 47 Lily Lane, Morrisville, Vermont. The B.C.A. accepts as accurate the testimony given by the appellant and listers. The board accepts the report of the inspection committee. In light of the facts as presented, it is the board's decision that the property has been fairly and consistently assessed with other properties in the neighborhood. The BCA finds the Listers' fair market value assessment of Mr. Cardinal's property is valid, and sustains the assessment at \$175,900.
7. Motion voted affirmatively to have the clerk complete the Official Notice of Decision - PVR 4404A and have the BCA Chairman sign on behalf of the board.
8. With no other business to be conducted the meeting was adjourned at 6:35 PM upon motion.

Respectfully submitted,

Mary Ann Wilson, Clerk
Board of Civil Authority

**OFFICIAL NOTICE
DECISION OF BOARD OF CIVIL AUTHORITY**

To: William J. Cardinal
6 Karsyn Reece Lane
Essex Junction VT 05452

Appellant notified by certified mail on:
(Date of Entry)
August 7, 2014

Your appeal to the Board of Civil Authority concerning the appraisal of your property, identified in the Grand List Book with school property account number (SPAN): 414-129-13069 has been given careful consideration, with the following results:

Result of Grievance:

Total Listed Value	\$	<u>175,900</u>	*
Nonresidential Allocation		<u>0</u>	
Homestead Allocation		<u>175,900</u>	
Housesite LV		<u>175,900</u>	

Value(s) Set by BCA:

Total Listed Value	\$	<u>175,900</u>	*
Nonresidential Allocation		<u>0</u>	
Homestead Allocation		<u>175,900</u>	
Housesite LV		<u>175,900</u>	

*If the parcel is enrolled in the use value appraisal program, the BCA must establish the contributory values as required by 32 V.S.A. section 3756. Use attachment or a copy of the current use printout the listers filed with PVR with any changes made by the BCA.

Date Appeal Filed: August 4, 2014

B.C.A. Hearing Notice Date: August 7, 2014

Date, Time, Place of B.C.A. Hearing: August 12, 2014 at 5:30 PM

Lamoille Senior Center, 24 Upper Main Street, Morrisville VT 05661

B.C.A. Members Present: R Bedell, M Demars, E Dodge, F Favreau, C Hindes, M Mason, B Paine, S Rooney, R Stancliff, E Wilson, B Kellogg, M Smith and M A Wilson, Clerk

Appearing for Listers: Charles McArthur and Duane Sprague

Appearing for Appellant: William J. Cardinal

Summary of Testimony/Argument by Appellant:

Mr. Cardinal's sworn testimony is that the property is unoccupied and has been listed on the market for over two years. The selling price has been reduced from \$185,000 down to \$175,000. His realtor has it listed for \$165,000, but the price may go lower if the apartment house in the area is not cleaned up. If there is not a buyer, Mr. Cardinal feels the property may have to go to auction at a substantial loss. Mr. Cardinal built two other houses in this subdivision off Elmore Street, and testified that he sold them below the town's appraised value. His complaint is that the five apartment house fronting Elmore Street in front of the property under appeal is an eyesore and has a detrimental effect on the value of his property on Lily Lane. No exhibits were presented. No expert witnesses testified.

Summary of Testimony/Argument by Lister:

1. Listers testified under oath and gave a description of the property under appeal, explained how the value was established and presented Exhibits 1 – 6 showing the listing for Mr. Cardinal's property as well as comparably listed properties and sales. There was no expert witness to testify. After grievance, the property was assessed at \$175,900 and includes .40 acres, the house, garage and all site improvements. The property is located within the Village limits and is served by municipal water and sewer. The house was built in 2011 and valued the same as all properties at the 2007 reappraisal formula. The assessment includes a reduction for unfavorable conditions in the neighborhood.

Property Inspected by: Monte Mason, Mickey Smith
Brent Paine and Ed Wilson

Statute requires minimum of three members

Date of Inspection: August 15, 2014

Report of Inspection Committee: (Use attachment if necessary)
See attached.

Board's Decision with Reasons: (Use attachment if necessary)
See attached.

Certificate: I hereby certify that this is a true record of the action taken on this appeal by the Board of Civil Authority of the town/city.

_____, Chairman
Board of Civil Authority

Filed in the town/city clerk's office on September 15, 2014 at 10 a. m.
To be recorded in the Grand List Book of April 1, 2014 (year).

Attest: _____
Town/City Clerk

Pursuant to Title 32, V.S.A., section 4461, if you are aggrieved by this decision you may appeal either to the Director of the Division of Property Valuation and Review or to the Superior Court of the county in which the property is situated. The appeal to either the director or the superior court is governed by Rule 74 of the Vermont Rules of Civil Procedure and is commenced by filing a notice of appeal with the town clerk within 30 days of the day this decision was mailed to you by the town clerk (date of entry noted on reverse). The town clerk transmits a copy of the notice to the director or to the superior court as indicated in the notice and shall record or attach a copy of the notice in the grand list book.

Be sure your appeal indicates which avenue of appeal you wish to pursue (court or director), clearly identifies the property under appeal, and is accompanied by the correct filing fee. The appeal to the Superior Court shall be accompanied by a \$225 fee for each parcel being appealed; the fee is \$70 per parcel on appeal to the Director. If the property under appeal is enrolled in the use value appraisal program, please indicate that in your appeal. If the property under appeal contains a homestead, please include that information.

Attachment U

ATTACHMENT USE VALUE APPRAISAL

Appeal of _____ SPAN# _____

The subject property has land and/or buildings enrolled in the use value appraisal program in accord with 32 V.S.A. Chapter 124. The contributory values have been established in accord with 32 V.S.A. §3756(d)(1).

	NonRes	Homestead
Contributory Value of Dwellings and Non-Farm Buildings:	_____	_____
Contributory Value of Farm Buildings	_____	_____
Contributory Value of Excluded Land	_____	_____
Contributory Value of Enrolled Land	_____	_____
Total Listed Value	_____	_____