



Town Clerk/Treasurer's Office
P O Box 748
Morrisville VT 05661

802-888-6370
Fax 802-888-6375
mawtclerk@pwshift.com

MINUTES OF BOARD OF CIVIL AUTHORITY MEETING

The Board of Civil Authority within and for the Town of Morristown met on Thursday, the 23rd day of August, 2007, at 6:15 PM at the Municipal Building Conference Room at 43 Portland Street, Morrisville in said town.

Members present: T. Hirschak, D. Yacovone, S. Bousquet, K. Campbell, E. Wilson, D. Andrews, R. Bedell, D. Blake, T. Breault, S. Leach, M. Demars and M. A. Wilson.

Members absent: F. Favreau, S. Rooney, B. Kellogg, S Bryer, S. Smith and T. Yando.

Listers present: C. McArthur, L. Hale and T. Williams. T. Nelson, Consultant also in attendance.

Meeting opened at 6:19 PM by T. Hirschak, Chair. All BCA members were reminded that they are still under oath.

- I. Pursuant to the provisions of 24 V.S.A. § 1535, the Board of Civil Authority heard an appeal for abatement of property taxes in whole or in part, accruing to the town.
 - Scheduled abatement hearing for J.B. and June McKinley withdrawn by appellant on 8/23/07 at 4:30 PM.
- II. Pursuant to the provisions of 32 V.S.A., Section 4404(b), the Board of Civil Authority heard grievances of persons, or other parties, who are aggrieved by the action of the Board of Listers and have timely filed their written appeals with the Town Clerk. Hearings will continue as scheduled with appellants until all aggrieved parties are heard.
 1. Appeal #2007 – 03: Rodney Vieux; Parcel ID #07235
 - Oath administered to Mr. Vieux and the listers.
 - Letter of appeal read by BCA Clerk and filed.
 - Appellant had nothing to exhibit but referred to his letter of appeal which stated the deficiencies of his property. Mr. Vieux purchased the property in 1971 for about \$13,000. The existing deficiencies are long term and would be expensive to remediate. He believes that a realistic selling price for his property would be between \$75,000 - \$100,000.
 - Ted Nelson, consultant to the listers submitted Exhibit I (filed). The 2007 assessment was valued at \$120,100 prior to grievance. After adjustments for building quality, energy package and functional depreciation, value was reduced to \$107,500 after grievance.
 - Inspection committee assigned: E. Wilson, M. Demars and K. Campbell.. Report due back to the BCA within 30 days from 8/23/07.
 2. Appeal #2007 – 09: Barry Mirakian; Parcel ID #12042-07
 - Hearing postponed by appellant to Sept. 11, 2007.
 - Again, Mr. Mirakian was advised by the BCA Clerk to submit a signed letter, waiving the 14 day notification requirement for a tax appeal hearing.

3. Appeal #2007 – 11: Rooney Farm represented by David Rooney and Selina Rooney; Parcel ID #06012

- Oath administered to Mr. Rooney, Ms. Rooney and the listers.
- Letter of appeal read by BCA Clerk and filed.
- Listers submitted Exhibit I (filed) and gave a brief overview of the parcel and its assessment.
- Appellants submitted Exhibit I – details of the discrepancies that they believe are part of the listers assessment, and Exhibit II – a display board with maps, photos and graphs of their property. Exhibits explained in detail by the appellants and filed. The Rooneys are concerned about an error on the listers' card overstating the value of the land by \$78,000, the value of 8 acres (4 two acre house sites) rated at a higher grade, the neighborhood code, the values assessed on farm buildings and 2 dwellings, and the percentage of increase of the value of their farm compared to neighboring properties.
- Ted Nelson responded for the listers. Prior to grievance, the farm was valued at \$2,497,400. After adjusting the bulk land grade, removing the value of a bunker silo and correcting the 4 house site values of the ancillary dwellings on the farm, the assessment was reduced to \$2,089,000.
- Based on the Rooney's letter of appeal, the listers were not aware that the neighborhood code was an issue in the tax appeal hearing. However, they advised that the neighborhood code used was that for the Mud City Loop Road where the main dwelling is located. This practice of assigning the neighborhood code was used consistently throughout the town-wide reappraisal for 2007. The listers will provide the Rooneys and the BCA more information on that application as well as neighboring comparables to address the value of the mobile home and farm buildings.
- The listers are in agreement that if the value on the 4 house sites was not adjusted, it should be corrected – further reducing the assessment by \$78,000.
- Inspection committee assigned: D. Andrews, D. Blake, S. Bousquet, R. Bedell and E. Wilson. Report due back to the BCA within 30 days from 8/23/07.

III. Inspection Reports:

- A. On a motion by D. Andrews with a second by T. Breault, the board voted affirmatively to accept the inspection committee report, submitted 8/21/07, as presented on The Manor, Inc: Parcel ID# 24019-01. (Filed)
- On a motion by S. Bousquet with a second by D. Andrews the BCA voted to go into deliberative session at 6:35 PM. Upon motion, the BCA, exited deliberative session at 6:47 PM.
 - On a motion by D. Andrews with a second by T. Breault, the BCA voted affirmatively to reduce the quality factor for the building from 85% to 83% and reduce the cost per square foot from \$104.00 to \$102.00 to equal a reduction in the assessed value by \$73,130. New assessment for the Manor will be \$3,837,840.00. D. Yacovone abstained. Decision will be written and signed at the 9/11/07 BCA meeting.

IV. With no further business to be conducted, the meeting was recessed at 8:50 PM upon motion by D. Yacovone with a second by K. Campbell. Meeting will reconvene on 9/11/07 at 6:15 PM.

Respectfully submitted,



Mary Ann Wilson, Clerk