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MINUTES: BOARD OF CIVIL AUTHORITY MEETING

The Board of Civil Authority of the Town of Morristown met at the Senior Center, 24 Upper Main Street in said town on **Tuesday, August 12, 2014 at 5:30 P.M.**

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.

Listers present: C McArthur and D Sprague.

Appellant: William J. Cardinal

AGENDA:

1. Meeting opened by F. Favreau, Chair
2. F. Favreau administered oaths to Listers, Appellant and BCA Members.
3. Pursuant to Title 32 VSA §4404(b), the board considered the Tax Appeal of William Cardinal, aggrieved by the action of the Board of Listers. Property ID #08021-02 located at 47 Lily Lane.
 - A. Clerk Wilson read the letter of appeal from William Cardinal.
 - B. There were no disclosures of conflicts of interest and ex parte communications.
 - C. 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.
 1. 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 was reduced for unfavorable conditions in the neighborhood.
 - D. Appellant Cardinal explained his reason for appealing to the BCA.
 1. The property 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, 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. He believes 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.

2. There were no exhibits submitted, and there was no expert witness to testify.
- E. Listers respond to appellant's testimony to answer questions and to clarify the property assessment.
 - F. BCA Members asked questions of the Listers and Appellant.
 - G. Chair Favreau appointed an Inspection Committee made up of Monte Mason, Brent Paine, Ed Wilson and Mickey Smith to view the property.
 1. Appointment was made with Appellant Cardinal for 4:00 PM on Friday, August 15, 2014.
 2. Listers were notified of date for inspection.
 3. Chair Favreau cautioned that there should be no ex parte communication during site inspection, and no new evidence is allowed.
 4. Inspection will be completed within 30 days of hearing – no later than 9/11/2014.
 5. This appeal will be reconvened to hear the formal report of Inspection Committee.
 - i. Decision will be rendered within 15 days of receiving the report.
 - ii. BCA members who do not hear evidence may not participate in decision.
 - H. Setting the schedule for the Primary Election on 8/26/2014 was discussed under other business.
 - I. Upon motion the hearing was recessed at 6:25 PM.
 - J. The hearing will reconvene for the inspection report and decision on Tuesday September 9, 2014 at 5:30 PM at the Senior Center.

Respectfully submitted,

Mary Ann Wilson

Mary Ann Wilson, Clerk
Board of Civil Authority

Please note that minutes are in draft form unless otherwise stated, and they are approved at the next meeting of the Board of Civil Authority.