

# MINUTES OF THE BOARD OF ABATEMENT

Thursday, September 19, 2019

6:00 pm

Board Members present: Chair, Del Cook, Doug Bailey, Seth Hopkins, Seth Clifford, Sally Cook, Bud Coolidge, Marge Munger, Kathy Clark, Laura Peterson and Clerk Sue Gage. Wendy Feldman arrived after the conclusion of the first hearing, participating in the second hearing. Kathy Clark participated in the first hearing but did not hear the second.

Guests present: William Bloomer, esq., for Linda Prescott

## D) Abatement Hearings

- 6:00 pm Neshobe Golf Club; Parcel 0082-0224; 224 Town Farm Rd; Per 24 V.S.A. § 1535(a)(3) - Taxes of persons who are unable to pay their taxes, interest and collection fees.

Chair Del Cook opened the hearing at 6:00 pm. He asked the board whether there were any conflicts of interest. Three members identified themselves as shareholders of the golf course. Clerk Susan Gage felt the conflict was substantial, and moved to postpone the hearing, as a quorum could not be met with the remaining board members present. Seth Clifford seconded the motion. The hearing was postponed until a later date, and nothing was entered into evidence.

- 6:15 pm Linda Prescott; Parcel 0101-0182; 182 Prescott Lane; Per 24 V.S.A. § 1535(a)(4) - Taxes in which there is a manifest error or mistake of the listers.

Chair Del Cook opened the hearing at 6:15 pm. Mr. Cook confirmed that there were no conflicts of interest or ex parte communications regarding this taxpayer. William Bloomer, esq., represented Ms. Prescott in the hearing. Atty Bloomer was sworn in by Mr. Cook.

Clerk Susan Gage entered into evidence the request for abatement from Atty Bloomer on behalf of Ms. Prescott dated September 11, 2019, tax bills for 2019/2020, 2018/2019 and 2017/2018, quitclaim deed from March 23, 2018 in which Ms. Prescott purchased the property from her siblings, another letter from Atty Bloomer dated August 23, 2019, which followed Ms. Prescott's successful grievance with the assessor and the lister card for the property.

Atty Bloomer explained that the valuation on the property in question was overstated due to an error in the acreage stemming from a title issue years ago. Ms. Prescott has been paying tax on 72.58 acres when in fact her property is 31.6 acres. Atty Bloomer explained that this

discrepancy came to light after Ms. Prescott bought out her siblings share of the property and attempted to sell acreage to a neighbor. A surveyor for the potential buyer was not able to produce the same number of acres. Ms. Prescott subsequently wrote to the assessors requesting a grievance hearing in a letter dated March 27, 2018. Atty Bloomer presented the letter to the board, and Ms. Gage has since entered a copy of the letter into evidence. Ms. Prescott was not granted a grievance hearing in 2018, and Atty Bloomer followed up again in 2019. The assessors heard the grievance in 2019, and after consulting the town mapper, agreed with Ms. Prescott. Ms. Prescott's taxes were adjusted for the current year, 2019-2020. Ms. Prescott is seeking abatement of 2018-2019 and any prior years the board feels is equitable.

The board entered deliberative session.

## II) Adjournment

Meeting was adjourned at 6:40 pm.

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Susan Gage, Clerk

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Del Cook, Chair