



Board of Tax Appeals Organizational Meeting - Wednesday, September 16, 2015, 5:30 pm - Conference Room 12, City Hall 9/16/2015

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(Wednesday, September 16, 2015)

Generated by Lori Olberg on Friday, September 18, 2015

1. Agenda

Action, Procedural: 1.01 Motion to adopt agenda: AC/CK, motion passed unanimously

Present: Connie Krosney, Mike Fife, Andrew Champagne, Ryan Mitofsky, Brian Martin, Ryan McLaren, Lori Olberg, Richard Haesler, John Vickery; Sean Hurley (absent)

2. Elections

Action, Procedural: 2.01 Chair: AC nominated CK, second MF, motion passed unanimously. Connie Krosney = chair.

Action, Procedural: 2.02 Vice Chair: AC nominated RMc, he declined. CK nominated BM, second AC, motion passed unanimously. Brian Martin = vice chair.

Action, Procedural: 2.03 Clerk: CK nominated LO, second AC, motion passed unanimously. Lori Olberg = clerk.

3. Rules

Information: 3.01 Subpoenas

RH - Reasonable request for matters that are being disputed for materials that the other party has. City Assessor Vickery typically anticipates the number from the start. Ask for those to be issued right at the organizational meeting. The property owner usually go with the assessor file. But they have the ability to subpoenas for consideration. If we did not find it to be reasonable, we could dispute. Typically John supplies them with everything he has.

CK - It is a request for information issued by the city assessor.

RH - Built into the ordinance and State Statute. As long as it is related to what is being contested. Due process element that we do not want someone coming to the hearing and presenting an appraisal. Typically this is a first level of a dispute resolution designed to be informal but fair. Can expect for things to be rescheduled.

Lori – on board docs and emailed the subpoenas. John is there more?

John- Maybe more, a handful of properties the board needs to weigh in on.

Information: 3.02 Hearing Procedures

CK spoke to this: Appellant has 10 minutes; City Assessor has 10 minutes and the Board has 10 minutes for questions and answers. Attempt is made to schedule a site visit that this time unless it is waived by all parties. All decisions need to be mailed out by December 31, 2015. Quorum needed for hearings and site visits. Findings are managed by the Chair.



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Information: 3.03 Scheduling

Action, Discussion, Information: 3.04 Timely and Untimely submissions

All submissions will be heard to include the five untimely ones: 1-Janney Holdings LLC and 4-Loomis Properties: motion made by MF, second BM, motion passed unanimously.

RMc recused self from Fortieth Burlington, LLC. BM recused self from Catamount Redstone Apts LLC.

All filed by Kevin A. Lumpkin, Attorney, Sheehey Furlong & Behm P.C. will be heard in one night. These deal with 4 BR/larger buildings: grossly undervalued, reappraised and deemed "unconstitutional."

Both AC and BM have recused themselves.

4. Approval of all forms: all forms are generic, only thing changed is the year. BM made a motion to approve all forms, second MF. Motion passed unanimously.

Action, Communication, Procedural: 4.01 Notice of Hearing

Action, Communication, Procedural: 4.02 Educational brochure

Action, Communication, Procedural: 4.03 Authority of Representation

Action, Communication, Procedural: 4.04 Waiver of Site Visit

Action, Communication, Procedural: 4.05 Subpoena

Action, Communication, Procedural: 4.06 Official Notice of Decision

5. Scheduling of hearings

Action, Discussion, Procedural: 5.01 Selection of Panels

Panel A: CK, RMit and MF.

Panel B: BM, RMc and AC.

Panel C: CK, BM and SH.

Alternate on Panels B and C will be MF. Floater: SH.

All Board members were in favor.

Action, Discussion, Procedural: 5.02 Selection of Dates, Times

CK requested that hearings begin the week of October 5th through October 22nd. Tuesday, Wednesday and Thursday nights were the choice nights. Start time 6:00 pm

LO asked each Board member to send her available dates, a "doodle schedule" will be created next week to narrow down hearing dates.





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6. Other Business

Information: 6.01 Verbal Comments: None

7. Adjournment

Action, Procedural: 7.01 Motion to adjourn: MF/RMc, Board of Tax Appeals Organizational Meeting unanimously adjourned at 6:42 pm.