TOWN OF BARRE - TAX GRIEVANCE HEARING
July 26, 2017

AGENDA
(This meeting is being audio taped.)

1. Call to order 6:30 p.m.
2. Amend the Agenda
3. Administer Oath to Board Members:
   I do solemnly swear (or affirm) that I will well and truly hear and determine all
   matters at issue between taxpayers and Assessor submitted for my decision. So
   help me God (or under the pains and penalties of perjury).
4. This hearing is being audio taped. Be advised the tape recorder can pick up
   background conversations. Speak clearly and identify yourself.
5. In accordance with Vermont Statutes, Chapter 32, Section 4404 (b), the first Tax
   Grievance hearing must begin no later than 14 days after the last date allowed for
   the notice of appeal, at some place within the Town. The deadline to submit appeals
   to this Board was Friday, July 14, 2017.
6. Housekeeping.
   A) Review the Code of Conduct
   B) Appoint a timekeeper
7. How to proceed with bi-annual checklist purge.
8. Other Business:
   A) Next Grievance Meeting is Wednesday, September 27, 2017 to take evidence
      from the Assessor and appellants.
   B) September meeting will provide a list of meeting dates for the remainder of the
      fiscal year for Board approval.
   F) To discuss any other Board of Civil Authority business as needed.
9. A motion to recess the Tax Grievance meeting to September 27, 2017

TAX GRIEVANCE HEARING MINUTES
July 26, 2017

CALL TO ORDER - Chair Paul Malone called the Tax Grievance Hearing meeting to order
on this 26th day of July 2017 at 6:32 p.m.

ROLE CALL - The following members were present: Chair Paul Malone, Town Clerk-
Treasurer Donna J. Kelty, Pearl Bugbee, William Bugbee, Charles "Chip" Castle, Jeanne
Daniele, W. John "Jack" Mitchell, Virginia Poplawski, Dottye Ricks, Christopher Violette, R.
Lee Walther, and Shelia Walther. Those absent included: J. Guy Isabelle, JP Isabelle,

THE AGENDA was accepted as printed.

BCA OATH

The Board of Civil Authority (BCA) members present were administered their oath.
The Chair reminded the Board members and those present the tax grievance hearings are
being audio taped. Please speak clearly and identify yourself prior to speaking.

POSTING CERTIFICATION

The following notice was published (in the Times Argus Newspaper) and posted
(Barre Town Municipal Building, Barre Town website, Hannaford’s Market, Trow Hill
Grocery, and Lawson’s Store). “Barre Town Residents - Pursuant to the provision of 32
V.S.A., section 4404 (b) notice was duly given that the Board of Civil Authority (B.C.A.)
within and for the Town of Barre, Vermont is meeting this 26th day of July 2017 at 6:30
p.m. at the Municipal Building, Selectboard Meeting room, in Lower Websterville to hear
grievances of persons, or other parties who are aggrieved by the action of the Assessor’s Grievance process and have timely filed their written grievances with the Town Clerk. Hearings will continue as scheduled by the BCA, with appellants until all aggrieved parties are heard."

**REVIEW ABATEMENT HEARING & TAX GRIEVANCE CODE OF CONDUCT POLICIES**

The last revision to the Tax Grievance Hearing the Code of Conduct Policy was during the July 2016 meeting. As is required annually, the BCA reviewed the Tax Grievance Policy with the newest members asking for clarifications/history on some sections.

*On a motion by Lee Walther, seconded by William Bugbee, the Board of Civil Authority accepted the Tax Grievance Hearing Code of Conduct policy without amendment.*


**BI-ANNUAL CHECKLIST PURGE**

The law require the BCA complete a review of the entire checklist prior to September 15th of each odd number year. A certification of this process must be sent to the Election Division no later than September 20th.

In 2013 the Town Clerk was directed to perform the task without BCA involvement. However, last year questions arose as to why "voter purges" had not taken place when it is known individuals no longer reside in Town. The Town Clerk provided information to the Board outlining the conditions under which names could be removed.

Currently we have 22 voters who were challenged prior to November 2014 waiting to be removed from the checklist. Unfortunately, Barre Town has not had a 90-day period without an election so they removal will not take place before mid-August 2017. We still have 455 names remaining from the 2015 challenge. Unless we hear from these individuals they cannot be purged prior to 2019. Our checklist has 5975 registered voters which includes those that have been challenged.

By consensus of those present the BCA agreed the Town Clerk/staff will conduct the initial round of challenge letters. Once this has been completed the BCA will be provided a full copy of the checklist to include voter status which they will review. At that point additional individuals may/can be sent challenge letters. Let the Clerk know if you want an email or paper version.

**MEETING SCHEDULE FOR TAKING EVIDENCE**

The BCA, by consensus at their last meeting decided meetings should be held 1st and/or 4th Wednesday of a month whenever possible to avoid conflicts with other BCA member commitments.

There are currently four (4) tax appeals, two are from the same entity. The Board has been provided with options.

By consensus of those present the BCA agreed to schedule the following meeting dates:

- Reconvene the tax grievance hearing on September 27, 2017 to hear the 4 tax appeals received to date,
- hold an abatement meeting on October 4, 2017, and
- Reconvene the tax grievance hearing on October 25, 2017 to receive reports from the inspection committees.
The Town Clerk will notify the Assessor immediately of the September 27th meeting to ensure material is available for the mailing of the September 15th packets. Included in the packet will be the meeting postcard for the remainder of the fiscal year.

In prior years the BCA has appointed a timekeeper. A determination will be made at the September meeting.

OLD & NEW BUSINESS

Chair Malone announced that Tracy Delude resigned as a Justice of the Peace (JP) in May 2017. The Republican Party has met and a letter (prepared by the party) was sent to the Governor’s office. Jeff Blow has received paperwork announcing his appointment.

Concern was raised by the Town Clerk in that this is not the normal process for resignation and appointment. Past practice has been for the resignation to be turned in to the Town Clerk who contacts the political party for a name(s) to fill the position. The Clerk upon receipt of the information sends a letter to the Governor (along with other materials) asking for appointment. When an appointment has been made the formal documentation is forwarded to the Clerk who contacts the new JP. This process is done to ensure that all “documentation” and the “oath of office” are legally recorded in the Town. Without this component the newly appointed JP cannot conduct business.

In this situation, the Town Clerk was unaware of the resignation and appointment which could pose some legal issues for the Town. Examples: HIPA protected information being disbursed to someone who should not have it; number needed for a quorum; having a recently appointed JP performing duties (marriage) without the oath/appointment being recorded for public information, and publishing an incorrect listing of JPs.

More research needs to be done on the process of the Justice of the Peace resignation process.

Chair Malone informed the Board that effective July 1st all JP/BCA activity will now be paid at minimum wage ($10.50 per hour).

RECESS UNTIL SEPTEMBER 2017

On a motion by William Bugbee, seconded by Lee Walther, the Tax Grievance Hearing was recessed at 7:30 p.m. to reconvene on Wednesday, September 27, 2017 at 6:30 p.m. Those not present for the vote included: J. Guy Isabelle, JP Isabelle, Robert Nelson, Edward Paquin, Jay Perkins, Rolland Tessier, Paul White, and Tom White.

____________________________  __________________________
Donna J. Kelty, Town Clerk-Treasurer       B.C.A. Chair

BARRE TOWN BOARD OF CIVIL AUTHORITY REPRESENTATIVES

(See next page for Oaths)
TOWN OF BARRE - TAX GRIEVANCE HEARING
OATH OF BOARD MEMBERS

JULY 26, 2017

I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue at issue relating to the abatement of taxes and other levies submitted for my decision. So help me God (or under the pains and penalties of Perjury).

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