

Board of Civil Authority Meeting - 10/1/2020
6 pm - Approved Minutes

BCA Present: via Zoom - Nora Rubinstein, Pat Hemenway, Heather Grier, Patty Kenyon, Elizabeth Cooper. At the town office - Terry Redfield, Laura Castle, Neil Russell at 6:12pm, Carl Haynes at 7:15pm

Terry called to order at 6:01pm

APPROVAL OF MINUTES: August 17, 2020 and September 17, 2020

Nora moved to approve the minutes of August 17, 2020 as presented, Terry 2nd. All in favor, motion carried.

Pat H moved to approve minutes of September 17, 2020 as presented, Heather 2nd. All in favor, motion carried.

AUGUST 17, 2020 ISSUE RESOLUTION: Letter from Secretary of State Jim Condos - Terry forwarded the letter to BCA members regarding the incident on August 17. Secretary of State has concluded their review of the incident.

Subsequently, an ethics complaint has been filed by the chair of the Republican Party with the legislature's Ethics Committee against Representative Robin Chesnut-Tangerman regarding this incident.

NOVEMBER GENERAL ELECTION PREPARATIONS:

a. Scheduling/Staffing/Procedures Management

- a. Scheduling Poll Workers** - Nora reported that everyone who worked the August primary is willing to work again. We will need to have a couple extra people in place to do greeting outside the door and also for counting so we're going to have to find new people. Nora and Pat are both looking for recommendations from the other members of the BCA. Preferably we are looking for people who are at a lower risk for complications from COVID-19. Also we will need a different team of people than normal to do the counting since many of our normal counters are on the ballot running for JP.

- b. **Temperature checks / Masks Required to Enter bldg.** - After a brief discussion it was determined that BCA members are not in favor of temperature checks. All agree that the requirement for masks is essential.

There was some discussion about the possibility of folks wanting to come in to observe the election processes. Members want to be proactive and prepared to accommodate requests, but also want to be sure we are following any guidelines surrounding the process. Patty will do some research to find out what the rules and expectations are.

- b. **Documenting Write-in Ballots Election Night** - We do need to make sure that we count write-ins, just as in a regular election.
- c. **Warning the pre-count of Mailed & Absentee Ballots - Monday, November 2, 2020 (posted by Oct 4, 2020)** -

Patty moved to close the town office to non-election related business and warn an official BCA meeting to process Absentee Ballots on Monday, November 2, 2020 starting at 10am. Heather 2nd. All in favor, motion carried.

Terry will research how this warning should be worded and whether or not it needs signatures of the members of the BCA.

There was a discussion about the process and staffing needs for this event. Law requires just two BCA members, ideally one from each party. BCA members feel we should follow normal practices for checking in absentee ballots, with a check in and checkout list used to track the ballots run through the tabulator. This is a warned public meeting, so all members are welcome along with observers. Additionally, we will continue to take in absentee ballots throughout the process.

Members felt that we should be proactive in helping people navigate through the absentee voting process. To that end, Patty and Elizabeth will work on creating a poster and some smaller handouts for folks to take home with them that succinctly explain the steps in the process and methods of returning ballots successfully.

WORK ON VOTER CHECKLIST FOR TOWN MEETING 2021 UPDATES - Heather gave an update about the information and training she has gotten from Nora Sargent in Wells for using the SoS election management system.

She also reported that ballots for Middletown Springs residents were mailed today 10/1/2020.

She also received a spreadsheet of all the people who have been mailed ballots so we can look at that for reference as we go forward. The SoS did not send ballots to anyone who was in the system as already receiving ballots. Some of this information may not have been correct in the system, so we will be able to use this spreadsheet to determine who might need a ballot sent to them directly from the town office.

Heather and Patty are scheduled to work on entering ballots into the system on Tuesdays and Saturdays from next week until election day.

The Tabulator needs to be tested by October 24th, we are still waiting on the software to arrive from the provider.

HANDY PROPERTY TAX APPEAL DECISION - The listers have received the final determination from the state. The appeal was decided using the appraiser's value, which decreased the value of the house for the grand list. (Sally Achey provided a copy of the determination letter on 10/2/2020. Said letter is attached here as part of these minutes.)

OTHER LAWFUL BUSINESS (Schedule next BCA meeting)

Next meeting prior to the election - Thursday, October 15, 2020 - 7pm

ADJOURN

Heather moved to adjourn at 7:30pm, Terry 2nd. Meeting adjourned at 7:30pm

Respectfully submitted
Patty Kenyon, Clerk

Addendum: Handy appeal decision (as a separate PDF)



State of Vermont
Department of Taxes
133 State Street
Montpelier, VT 05633-1401

Agency of Administration

Reply to: PO Box 429
Montpelier, Vermont 05601-0429
802.828.2560
802.828.5873 fax

September 02, 2020

CERTIFIED NO. 7015 3010 0001 4919 5352

Paul and Susan Handy
103 Spruce Knob Road
Middletown Springs, Vermont 05757

Re: Paul and Susan Handy v. Town of Middletown Springs
Docket No.: PVR 2019-15

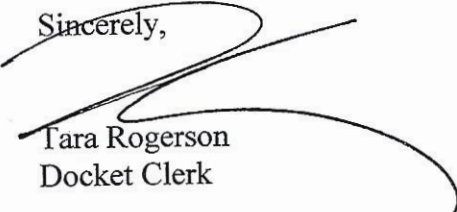
Dear Paul and Susan Handy:

Enclosed is the Hearing Officer's decision on the above-captioned appeal.

A copy of this decision is being forward to the Middletown Springs Town Clerk for recording in the Grand List under Vermont law 32 V.S.A. §4468.

Your right to appeal this decision is described in 3 V.S.A. §815 and the Vermont Rules of Appellate Procedure. You may appeal within 30 days of the Director's Entry Date. To perfect your appeal, file a written notice of appeal with the Clerk of the Department of Taxes together with a \$295.00 filing fee payable to the Vermont Supreme Court. Also, please refer to Vermont Rules of Appellate Procedure, Rule 10(b) when appealing to the Supreme Court.

Sincerely,



Tara Rogerson
Docket Clerk

cc: Middletown Springs Town Board of Listers/Assessors
Middletown Springs Town Clerk

CERTIFIED NO. 7015 3010 0001 4923 5369

 .VERMONT

Decision Of The Property Valuation Hearing Officer

Richard A. Favor

Appellant

Paul and Susan Handy

103 Spruce Knob Road

Middletown Springs, Vermont 05757

Appellee

Town of Middletown Springs

PO Box 1232

Middletown Springs, Vermont 05757

Re: Paul and Susan Handy v. Town of Middletown Springs

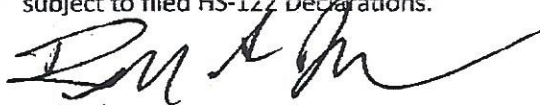
DOCKET NUMBER: PVR 2019-15

The property under appeal is described as parcel # TH05-103 and span # 393-122-10434.

Pursuant to 32 V.S.A §4461-4467, I heard the above appeal on Wednesday July 29, 2020 at 10AM via Zoom conference.

Value determined by the Board of Civil Authority	\$440,400
Value determine by the Property Tax Hearing Officer	\$407,000
Homestead Value	\$407,000
House site value	\$343,200
Residential equalized value	\$407,000

The subject property shall be set in the April 1, 2019 grand list in accordance with 32 V.S.A. §4468 at the value determined by the hearing officer. Pursuant to 32 V.S.A. §4468, this shall be the listed value of the subject property for the 2019 Grand List and for the following two years unless the property is materially altered, changed, damaged or the town of Middletown Springs undergoes a complete revaluation of all taxable real estate. Homestead and House site values are subject to change within the three years, subject to filed HS-122 Declarations.



Richard A Favor

Property Valuation Hearing Officer

PO Box 719

Pittsfield, Vermont 05762

Report Date 9/1/2020

Date Entered by the Director SEPTEMBER 2, 2020

Statement of the case

This is an appeal of Paul and Susan Handy from the decision of the Middletown Board of Civil Authority relative to the assessment of their property located at 103 Spruce Knob Road, Middletown Springs, Vermont. The property consists of 44.00 acres of land classified as residential with a single-family berm home with 3,459 square feet of finished living space. The lister's valued the property at \$460,400 for the April 1, 2019 abstract grand list. Upon appeal the listers reduced the value to \$440,400 dollars. The board of civil authority upheld the listers value. The decision of the board of civil authority was appealed to the Property Valuation and Review division.

To determine the correct valuation of this property an appeal was heard pursuant to 32 VSA 4461 through 4467, via Zoom conferencing on July 29, 2020 at 10 AM by a Property Valuation and Review hearing officer. Procedure in this case is governed by the contested case provisions of the Vermont Administrative Procedure Act, 3 V.S. A. § 801 et seq.

Present for the appellants were Paul and Susan Handy and their appraiser Renee Dumas. Representing the town were Sally Achey and Patricia Hemenway, listers.

Summary of Evidence

The Town Presented the Following Exhibits

- T1. Definition of terms – Pages taken from the Guide for Vermont Listers and Assessors regarding roles and responsibilities
- T2 History of Property Valuation – House site and total value of subject property for 2006, 2008 and 2018 with lister card
- T3 Change Forms 06-2019 – Lister site visit report, lister card, comments, and appraisal change notice
- T4 Appraisal Summary Report – Summary page of independent appraisal
- T5 Lister Response To Appraisal – Lister comparable property report
- T6 Sketch of House – Appraisal terms
- T7 Lister Cards, PTTR's of Middletown Springs Comparable Properties - 277, 99 and 103 Spruce Knob Road.
- T8 Lister Conclusion
- T9 BCA Report

