

\*\*\*Meeting Minutes are in Draft Form until Approved by the Board\*\*\*

## KIRBY SELECTBOARD'S MEETING

JULY 17, 2017

The Selectboard met at the Kirby Town Hall on July 17, 2017. The meeting was called to order by Chairperson Rebecca Hill-Larsen at 7:00 p.m.

Those present were: Selectpersons Rebecca Hill-Larsen, Steven Baker and David Chase  
Listers Robert Van Vliet and James Sawhill  
Assistant Town Clerk Marla Waring  
Secretary/Clerk Wanda Grant

There were no additions or deletions to the agenda.

The Listers were present to discuss the "Notice of Reappraisal Order" that was received recently from the Vermont Department of Taxes/Property Valuation and Review. Lister James Sawhill stated the following:

- The order was triggered by the sales study conducted at the end of 2016.
- CLA (common level of appraisal) is suppose to be fair market value and should fall between 100 and 80% - COD (coefficient of dispersion) is a look across the different categories of Residential 1, Residential 2, Seasonal 1, Seasonal 2, etc. (there are 9 categories) and should not be higher than 20%. Kirby's CLA is 96.41% and the Town's COD is 20.16%. Both CLA and COD are arrived at through the sales study.
- In the past the district advisor would spend a day with the Listers to review the sales and discuss what sales should be validated (included in sale study) or invalidated (removed from sale study). This year that did not happen.
- The Listers spoke to the Town's district advisor earlier about the Town's COD being higher than 20% and was told "not to worry about it" so they did not appeal it earlier.
- It is the feeling of the Listers that the Town should contest the order because there were 2 sales used in the sale study that the Listers had invalidated but the Town's district advisor later validated without the Listers approval. The sales were the Eaton/Eaton Trust sale and the Reeve sale. The Eaton sale should have been invalidated because it was a sale between relatives and the Reeve sale should have been invalidated because it included personal property (sale of antiques). Both meet the State's requirements for invalidating a sale.
- The Listers feel that if the 2 sales mentioned above were invalidated it should lower the COD by around 2.5% according to their calculations.
- Other area towns receiving orders to reappraise are Newark, Peacham, Cabot and Lunenburg. Newark will reappraise – do not about other towns.
- If the Town has to reappraise the Town would probably look at hiring it out as other towns are doing and they feel they would need the help. It could cost over \$100,000. The Town would have 3 years to do it. This would give the Town a couple of years to help raise money for it.

Mr. Sawhill also handed out the following:

CLA = 96.41% with target of 100%  
COD = 20.16% with target less than 20%

Based on the State's sales study, Kirby is 16/100s of a percent point over the ceiling on the COD and in excellent condition on the CLA. Nonetheless, this triggers the letter to reappraise. We can request reconsideration of the decision and I believe we should. This is a potential 6 figure problem. It is also not warranted - Kirby doesn't need to be reappraised, not only from our view on the ground and our three year excellent CLA, but also because the State included two properties in the study that do not meet its "Arm's Length Transaction" requirements. How and why that happened is another story.

The two properties are both on Burrows Rd in South Kirby - Eaton and Reeve.  
339-105-10104 (Reeve - personal property - house furnishings with antique furniture - included in sale) and  
339-105-10091 (Eaton - family property of parents' estate with buyout of siblings)

The State accepts those as viable reasons to exclude them from the sales study. Either one could reduce COD below 20%; both could reduce it ~ 2.5%. I can't guarantee that they will because the State devises "equalized values" to adjust the data and we won't know what those are until they produce new results.

**Matters being appealed:**

Two (2) R2 sales should be removed from the sales study as they were not arm's length transactions:

339-105-10104 (Reeve - personal property - house furnishings with antique furniture - included in sale) and  
339-105-10091 (Eaton - family property of parents' estate with buyout of siblings)

**Remedy:**

Kirby's COD be redetermined after removal of the invalid sales.

Steven Baker made the motion that the Listers do their appeal to the State based on the two properties and wait for the State's response. Seconded by David Chase. So voted.

Steven Baker made the motion to adjourn the meeting. Seconded by David Chase. So voted.

The meeting was adjourned at 7:50 pm.

Respectfully submitted,

Wanda L. Grant, Secretary

