

Wilmington Selectboard Meeting Minutes October 20, 2020

Present: Tom Fitzgerald, John Gannon, Vince Rice, Sarah Fisher, Tony Tribuno

Others Present: Scott Tucker, Jessica DeFrancesco, Christine Richter, Brian DeCesare, Deb Kingsley, Jerry Osler, Jessica Lee Smith, Therese Lounsbury, Mike Eldred, Casey O'Hara, Jill Remick, Ed Adrian, Christie Wright, Gretchen Havreluk, Nancy Merrill

Meeting called to order at 6:00 pm

1. Visitors, Public Comments, Possible Changes to the Agenda
 - Under #6, it should be SeVEDS, not BDCC.
2. Approve Minutes of October 6 and 13, 2020
 - October 6; Gannon, Rice second; all in favor.
 - October 13; Gannon, Rice second; 4-0 Fisher abstained
3. Reappraisal
 - Discussion on the town-wide reappraisal, equalized education property value & CLA with PV&R. Jill Remick (Director of Property Valuation & Review Division of Vermont Department of Taxes) explained that our common level of appraisal (CLA) was not at 100% after our reappraisal. Christie Wright and her team work with listers and assessors to carry out the equalization study, which produces the CLA and coefficient of dispersion (COD), which are applied to the tax rate and adjusts it. Casey O'Hara works on the education tax side. A town-wide reappraisal is recommended at least every ten years, if not more frequently. It is only required if your CLA goes below 85% or above 115%. The current CLA was determined back in December/ January. Next year it should look very different. The equalization study will catch up and the CLA should increase. The education property tax rate is determined by dividing the current grand list by the equalized grand list. The result of the reappraisal should be more noticeable in the CLA for 2021. DeCesare commented that Wilmington has gone through a dramatic event due to the Hermitage properties losing value. Is this hurting the town? Christie Wright believes it is hurting the town. PVR expects towns to be higher after a reappraisal. There is no remedy for a situation like this and the process is in state statute. Gannon commented that the equalized study seems to be less reliable in snow towns. DeCesare feels there should be a little more effort to make this process right. Sales in Wilmington are going up on a monthly basis in the area. For the upcoming study, only sales until April 1st will be included. The current sales will affect Wilmington the year after. See attachment for the question & answer document.
4. Town Meeting
 - Special legislation was passed (Act 162 "any municipality may apply the Australian ballot system to any or all of its municipal meetings held in the year 2021 by vote of its legislative body.). Fitzgerald and Fisher recommend pursuing this route to hold Town Meeting by Australian ballot. The informational hearing will still be held, and Therese would like to keep it as normal as possible by not mailing to everyone; only to those who request it (absentee ballot) and others can vote at the polls (change of location at OSEC this year). Australian ballot may turn out more votes on the town articles. Gannon moved to hold the March 2021 Town Meeting by Australian ballot, Fisher second; all in favor. Fitzgerald moved to set the informational meeting for February 22,

2021 at 6 pm via zoom, Fisher second; all in favor. Absentee ballots need to be available 45 days prior to Town Meeting. Jessica and Therese will discuss the timeline and come back to the Board.

5. Action Items

- Rice moved to approve the winter sand bid from Cersosimo at \$17.70/cy, Gannon second; all in favor.
- Fitzgerald moved to authorize the town manager to execute a pole easement request by Duncan Cable to place new poles within the town right-of-way limits on Lake Raponda Rd and Stowe Hill Rd, Rice second; all in favor.

6. 1 % Local Option Tax Fund Request

- Fitzgerald moved to approve the 1% request from SeVEDS in the amount of \$5,628, Fisher second; all in favor.

Fitzgerald moved to enter into liquor commission at 7:28 pm, Rice second; all in favor.

7. Liquor Licenses

- Fitzgerald moved to approve a First and Third-Class liquor license and Outside Consumption application for HMC Hospitality Inc dba Hermitage Club at 183 Gatehouse Trail for the Mid-Mountain restaurant and the Summit Cabin, Rice second; 4-0 Gannon abstained.
- Tribuno moved to approve the Third-Class renewal for Jim's Bistro at the Roadhouse Inc at 4 Old Ark Rd, Rice second; all in favor.

Out of liquor commission at 7:31 pm

8. Other Business

9. Select Board Members Comments

- Fisher is glad for the presentation from the state tonight and eyes need to be kept on the ball come December.
- Gannon stated that the Trails Committee suggested the signage for the trail on Fairview would be best at the access road at the WWTP.

10. Town Manager's Updates

- Listened to the SVMC webinar on COVID-19. Announced the long-range plan of the expansion of the ER and doubling the size of the cancer center. Continue to mask up, wash hands, quarantine when necessary, smaller gatherings in larger room sizes. The virus is said to be 30% less deadly now than it was at the beginning. Central Vermont has had a small outbreak. Carpooling and other things that happened before and after the sporting event are causes for the outbreak. Containing this will hopefully get the state back in green status.
- The Town Clerk received a grant for election related expenditures.
- We are still waiting to hear from the LGER; loans awarded to local businesses may be allowed to be reimbursed as possible grants.
- We are on task and on point with the water district merger. Voting will take place at OSEC this year.
- Public Safety Facility Committee just had a site visit with DRB and discussed lighting and fencing, with continuation of the hearing on Nov. 2nd.

Meeting adjourned at 7:51 pm

Respectfully Submitted,
Jessica DeFrancesco, Administrative Assistant

Approved by the Wilmington Selectboard:

Thomas Fitzgerald, Chair

John Gannon, Vice Chair

Vince Rice, Clerk

Sarah Fisher

Tony Tribuno

Town of Wilmington Selectboard Meeting, scheduled for October 20, 2020 at 6:00 p.m.

Questions for PV&R discussion:

- 1) Why are the Utilities and Current Use valued at 100% if CLA is not 100%?

Presumably your utilities are now being assessed at 100% if your town assessed them that way. A report was provided with that value by the companies.

CLA is assumed to be 100% because we assume that is the level of appraisal all other values will be at after a reappraisal.

- 2) Can the State provide the Town with any assurances that the CLA will be at 100% next year?

The state cannot provide any assurances of that. You should consult with your contractor. They should have completed a sales analysis very similar to the equalization study and should be able to approximate the level of assessment you are at now that the new values are in place.

- 3) In dollars, what is the Town-wide impact between the CLA being at 88% v. 100%?

Your assessments are now at 100% (presumably) and your tax rate temporary cla is 86% so the tax rate will still be adjusted upwards to equalize.

- 4) Have there been any other instances that PV&R is aware of where there was a large property devalued and the State was asked to readjust its CLA as a result of that devaluation?

No not that I am aware of.

- 5) When a town does a town wide reappraisal why is the equalization study not updated to match the same data? For example, the State used sales from April 1, 2016 to March 31, 2019 but for our reappraisal we had to use April 1, 2017 to March 31, 2020. With the Hermitage no longer operating why would the April 1, 2016 to March 31, 2017 data on sales not be removed from the equalization study as those sales are no longer valid?

That data is not used but there has to be a cla for tax rate purposes. This mathematical formula is substituted. EEGL/new 411.

- 6) What is the appeal process for a town that does not agree with their COD and CLA rates that are received in December for the next year?

Appeals process is in January and notification of the process is sent every year with the results of the study.

- 7) The equalization study compares the ratio of the grand list listed value to the sale price for all the arms-length sales in the town over the prior three-year period. How would the Hermitage Club property impact this? There were no arms-length sales to compare it to. It is a unique property. I would like to understand how the equalization study analyzes unique properties like the Hermitage Club and Mount Snow's Westlake snowmaking pond where there are no arms-length transactions. This is not a problem unique to Wilmington, but to many communities that host ski areas. Since ski areas may be the highest value property in many ski towns, any study that does not include an analysis of these properties would appear to be unreliable.

As with any sales analysis, you can only use the data that is available and that data is used to forecast all other property. This is not unsimilar to all appraisal practice.

- 8) According to the document, "Introduction to Vermont's Equalization Study, "when there are insufficient sales (less than 5) and/or **a statically unreliable sample at the town level**, supplemental appraisals are obtained to ensure that a reliable sample is available for equalization. Did this happen for the two above-mentioned properties? What were the appraised values according to these appraisals? How did those appraised values compare to the grand list listed value for these properties?

This is referring to the town statistical example overall. Wilmington always has more than 5 sales total and a statistically reliable sample at the town level.

- 9) You indicated that "the CLA was so low because we used the Equalized Education Property Value as the denominator, absent the information on the Hermitage property." Why did you not take into account the information on the Hermitage property?

We are not required nor directed to take any market specifics into account.

- 10) Can you explain the statistical analysis that is/was done in Wilmington to ensure that the ratio of listed-value-to-sales-price was reliable?

The equalization study was performed for last year, sales were reviewed with the town, town had an opportunity to grieve.