

Town of Williston
Board of Civil Authority
Meeting Minutes from BCA Tax Appeal Hearing
July 12, 2021 (Hybrid in-person and zoom)

BCA Members Present in Person: Andy Mikell, Ted Kenney, Greta D'Agostino, Gordon St. Hilaire, Terry Macaig, Jim McCullough, Ben Rose, Tony O'Rourke, Sarah Mason

BCA Members Attending Remotely: Charity Clark, Joanna Cole, Debbie Ingram, Tony Lamb, Carter Smith, Joy Limoge

Others Attending in Person: Harold Cort, Chair of Williston Listers. Bill Hinman, Williston Assessor.

Others Attending Remotely: Appellants Glen Saindon and Bill Dudula from Ryan.

The meeting opened at 6pm. Chair Andy Mikell gave a brief introduction that there are three properties appealing and there is a stipulated agreement in place for all three. Bill Dudula, of Ryan Tax Services, representing 177 Hurricane Lane, Burlington Courtyard, reports that he has been instructed by his client to decline the current offer and proceed with the appeal.

Chair Mikell administers the appellant oath. Chair Mikell administers the BCA oath. Chair Mikell asks for any conflicts of interest or ex parte communication that may have occurred. There is none.

Chair Mikell introduces the two properties with a stipulated agreement:

35 Hurricane Lane. Parcel ID # 13086.002000. Known as the Sonesta Hotel.

Represented by Glen Saindon of Ryan.

2844 St. George Rd. Parcel ID# 13103.033000. Known as the Fairfield Inn.

Represented by Bill Dudula of Ryan.

Williston Lister Chair Harold Cort authorized testimony be taken over by contracted Williston Assessor Bill Hinman for these hearings.

Bill Hinman explains the Discounted Cash Flow analysis used and the agreement reached between the town and the parties involved. 35 Hurricane Ln. value would be \$6,500,000 and 2844 St. George Rd would be \$5,750,000. The agreement reached represents a 12% reduction in value.

This stipulated agreement is now off the table for 177 Hurricane Lane, Burlington Courtyard, (at \$6,400,000) as noted earlier by appellant representative Bill Dudula.

Chair Mikell confirms that the agreement is acceptable for both appealing parties for the two aforementioned properties and Glen and Bill both confirm. Ben Rose asks what municipal tax rate implications are for the town and Bill Hinman estimates it to be between \$2,000-\$2,300. A motion is made to approve this agreement by Ben Rose and is seconded by Charity Clark. All in favor. None opposed. Motion moved. These two parcels are settled and closed.

It is suggested that the hearing for 177 Hurricane Lane be continued for 14 days. Bill Dudula and BCA members agree this will give more time for Bill Hinman and Burlington Courtyard to work out some numbers. The hearing is continued until July 26, 2021. Bill Dudula and Glen Saindon are thanked for their time and excused from the remote meeting attendance.

Next agenda item introduced by Chair Mikell is BCA approval for Clerk to send the Biennial Letter of Review to the Secretary of State's office as required by VSA 2150 C,d,7. Sarah explains the rational and protocol of managing the voter checklist and the systems in place going forward to ensure its accuracy. SOS office is providing additional support using other address research lists to verify residents who may have moved. Board approves unanimously for clerk to mail letter that the checklist is thoroughly reviewed on an ongoing basis. Sarah will mail approved letter shortly, well before 9/15/2021 deadline. Motion to adjourn meeting made by Ted Kenney and seconded by Joy Limoge at 6:20pm.

The meeting and hearing were reopened by Chair Andy Mikell on Monday July 26, 2021 at 6:05 pm. Members present in person were Andy Mikell, Terry Macaig, Ben Rose, Tony O'Rourke, Sarah Mason, Lister Harold Cort and Assessor Bill Hinman. Members attending remotely were Carter Smith, Greta D'Agostino, Tony Lamb, Joanna Cole, and appellant Bill Dudula from Ryan.

Chair Mikell asked for any ex parte communication. There is none. He asks Bill Dudula if he has any new testimony to add to his data submitted on 7/12/21. He has no further testimony and explains that between the actual property owner and the receiver of the property, he has been advised not to settle. He apologies for the time taken by the board in these efforts.

Bill Hinman is asked to present further information gained over the past fourteen days. Mr. Hinman presented recent hotel sales data rather than more financial reviews:

1. 177 Hurricane Lane. 3/29/2012 for \$7,979,456
2. 2844 St. George Road. 5/26/2015 for \$8,030,090
3. 35 Hurricane Lane. 7/28/2015 for \$10,925,000

Mr. Hinman recommends that the board not increase the value further, but leave it at the current assessment of \$7,284,060.

Bill Dudula has no further comments or questions re: Bill Hinman's sales data.

Terry Macaig asked if the values of the two other properties was adjust yet. They are not.

Ben Rose asked the clarifying question that it is suggested that the property stay at the current assessment and not lowered to the \$6,400,000 offered earlier in the process. That is correct after the unsuccessful settlement with the owner of 177 Hurricane Lane. Chair Mikell asked if the market was rebounding even a little and Bill Hinman responded that a recent news article has hotel booking up 10% over 2019 data.

Chair Mikell asked for three BCA members to volunteer for the Inspection Committee to pay a visit to the property in questions. Tony Lamb, Terry Macaig and Tony O'Rourke obliged. They will visit 177 Hurricane Lane and report back with their findings and their Inspection Report for the rest of the Board on Monday, August 2nd at 6pm. We are recessed until that time.

**Computer Audio was spotty for the remote attenders in the last 2-3 minutes of the meeting. Clerk Sarah Mason sent an immediate follow-up email stating the inspection committee and the reconvening date.