

# MINUTES OF THE BRANDON BOARD OF ABATEMENT

Tuesday, March 25, 2025, 7:00 pm

Brandon Town Hall

1 Conant Square, Brandon, VT

Present: Doug Bailey, Sally Cook, Del Cook, Jeff Haylon, John Peterson, Bill Moore, Brian Coolidge, Bud Coolidge, Kathy Clark, Hillary Knapp, and Clerk, Susan Gage

Guests: Julie Delphia

The meeting was called to order at 6:58 pm. Clerk, Susan Gage asked the group to appoint Doug Bailey as acting chair in the absence of the chair and vice-chair. The appointment was confirmed.

Chair Doug Bailey opened the hearing at 7:00 pm and introduced the first abatement to consider:

## **TAX ABATEMENT**

7:00 pm Hearing – Barry & Julie Delphia, PO Box 143, Brandon, VT; Requesting abatement of Taxes under **24 V.S.A. § 1535(a)(4) taxes in which there is manifest error or a mistake of the listers.**

Mr. Bailey swore in guest, Julie Delphia and then confirmed that there were no ex parte communications or conflicts of interest. Bill Moore mentioned that he was aware of the request, and that Julie had been working with him in his town management position. Members and taxpayer did not feel this warranted any action and was not a viable conflict.

Ms. Gage passed out a packet of information provided by the taxpayer, Julie Delphia, and provided an overview of the tax abatement request. Ms. Delphia then explained the contents of the packet distributed. Julie is requesting a refund of taxes paid on property she doesn't own. The property is a swamp lot on 73 towards Sudbury. The town mistakenly sold land that it did not own.

Julie and Barry had previously bought three parcels from the town that were owned by the town through tax sale. Dave Atherton, town manager at the time, then offered two more parcels in the area, presenting supporting deeds showing town ownership since the late 1950s, negating the need for a 40-year title search. The select board approved the sale, it was noticed in the paper, and the town added the Delphia's to the grand list and sent tax bills.

During a multi-year conservation process with Natural Resources Conservation Service (NRCS), it was discovered that the town never owned the land. According to the NRCS, the Wright family does. Julie contacted town manager, Seth Hopkins to explore options for acquiring the parcel without abatement. She also attempted to locate the Wright family heirs to sign over the property but was unsuccessful.

The town assessors have now removed Julie's name from the property and will take it off the tax map. Julie will work with Seth to reverse the sale.

The Delphia's are seeking an abatement of taxes they have paid on the property, and are happy to accept a credit to be applied to the tax liabilities of their other properties. Taxes paid since 2020 amount to \$880.00. Ms. Gage also noted that any amounts credited would also include interest, as we charge interest on delinquencies, so statutorily we are required to calculate the same on any refunds or credits.

The hearing was closed at approximately 7:18 pm.

Mr. Bailey then opened the next hearing.

## **TAX AND UTILITY ABATEMENT**

7:15 pm Hearing – Town of Brandon, 317 North St, Brandon, VT; Abatement of Taxes and Utilities on property acquired through FEMA flood abatement.

There were no ex parte communications nor any conflicts of interest noted. Ms. Gage explained that this property was acquired in September as part of the FEMA buyouts happening in the flood plain in Forest Dale. The taxes and utilities should be abated as the town owns the property.

The hearing was closed at 7:20 pm.

The Board of Abatement then entered deliberative session.

Ms. Gage reminded the board that deliberative sessions does not end until the decisions are signed and that she would be sending everything out by email for approval.

The meeting was adjourned at 7:25 pm.

Respectfully submitted,

Susan Gage, Town Clerk