

*Preliminary Minutes*

**TOWN OF LUDLOW  
SELECT BOARD**

**SPECIAL MEETING  
OCTOBER 1, 2010**

**MINUTES**

**Board Members Present:**

Howard Barton, Jr., John Neal (via phone), Bruce Schmidt, Doug Ficken

**Staff Present:**

Frank Heald, Ulla Cook

**Others Present:**

Linda Tucker

**Call to Order:**

- a. Chairman, Howard Barton Jr. called the meeting to order at 8:00 a.m.

**Consider a Request by the Board of Civil Authority to Appeal the Actions of the State Appraiser Regarding the Decision on the John Eckel Property:**

- a. Howard Barton reported that the Select Board members received the paperwork to consider an appeal on the Eckel property appraisal.
- b. Frank Heald said an appeal request was sent yesterday to meet the filing deadline, but could be retracted.
- c. Bruce Schmidt asked what new information would be presented to refute what was said.
- d. Linda Tucker said this is a property that they could argue. She said that they are not sure if the appraiser went into the building because the interior has been finished since the first visit and the driveway has been re-done. She said that would be a good argument.
- e. Howard Barton asked where the property was located.
- f. Ulla Cook said it was two houses past the Eddy property.
- g. Howard Barton agreed that there have been big changes.
- h. Ulla Cook said the Listers' card had the construction listed as a B+ and the BCA changed it to an A- for the interior of the house. She said there was previously a driveway reduction and that was increased since it was re-done.
- i. Bruce Schmidt asked if the BCA has done an inspection.
- j. Linda Tucker said yes. She said they did not see any reason why the appraisal should go down.
- k. Frank Heald said that Brady & Callahan would represent us if the case went forward.
- l. John Neal asked what the initial appraisal was.

- m. Frank Heald said Listers/\$1,196,000, the BCA/\$1,290,600 and State/\$945,000, representing a difference in value of \$300,000.
- n. Ulla Cook added that the Town has already paid the education tax amount on that property and won't get it back.
- o. Frank Heald said the appeal will go before the VT Supreme Court with 15 minutes for either party to make a case.
- p. John Neal asked what the cost would be.
- q. Frank Heald said \$250 plus 5%, plus the cost of council which could be \$1,000 for preparation, plus a day in court.
- r. Frank Heald said someone needs to "draw a line in the sand" and this would be a good case to do so.
- s. John Neal said he feels they need to go forward.
- t. Motion by Bruce Schmidt and seconded by Doug Ficken to fight the appeal with the BCA on the John Eckel property. All in favor and the motion passed.

**Adjourn:**

- a. Motion by Bruce Schmidt and seconded by Doug Ficken to adjourn. All in favor and the motion passed.
- b. Meeting adjourned at 8:23 am.

Respectfully submitted,

Pam Cruickshank  
Acting Clerk

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Howard Barton Jr., Chairman

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John Neal

\_\_\_\_\_  
Bruce Schmidt

\_\_\_\_\_  
Brett Sanderson

\_\_\_\_\_  
Douglas Ficken