

DECREE

WALDO, SS.

**COUNTY COMMISSIONERS COURT
PETITION # 365
MAY 13, 2014 ADJOURNED SESSION
TO WIT: MAY 19, 2014**

JOSEPH & JOAN ZINKEVICH VS. TOWN OF PROSPECT

On May 13, 2014, 9:30 a.m., Waldo County Commissioners William D. Shorey (Chairman), Amy R. Fowler and Betty I. Johnson held a tax abatement appeal hearing at the request of the Plaintiffs, Joseph & Joan Zinkevich regarding their property on the Shore Road in Prospect, Maine. Present with the Commissioners were Petitioners Joseph & Joan Zinkevich along with Defendant Town of Northport Assessors Agents Joshua Morin and David Haverfield of Hamlin Associates and Prospect Selectperson, Diane Terry. Also present was Deputy County Clerk Linda Kinney attending the audio recorder. Recording the minutes was County Clerk Barbara Arseneau.

Commissioner William D. Shorey opened the hearing by reading the rules of the proceedings and swearing in the Petitioner and Defendants. He also stated that after the Commissioners have made a decision, which may or may not be the same day as the hearing, either party may appeal this decision to the Superior Court of the State of Maine in accordance with the Maine Revised Statutes Annotated Title 36, §844 and the Maine Rules of Civil Procedure, Rule 80B. Commissioner Shorey asked the Petitioners to speak first.

The Petitioners stated that they disagree with the 2013 property valuation. They purchased the parcel of land as a non-buildable lot. As of the Town of Prospect’s 2013 revaluation, the property is deemed buildable and the valuation increased by 125%. The Petitioners would like to know if the land is buildable or not and have been; so far, unable to obtain that answer. Several documents were provided and submitted as Exhibits 1 – 6.

Joshua Morin, representing the Town of Prospect, handed out a packet of documents to be submitted as Exhibit 7(A – K). He explained that all lots in the town are valued at \$22,500.00 for the first acre of an undeveloped lot. Then other various factors are weighed in which will either increase or decrease that amount. The Town of Prospect is now at 100% of the State valuation as of the 2013 revaluation. He pointed out this is derived from a midpoint of all sales at the time of revaluation and are done fairly. He referenced Exhibit 7-K, from the Prospect Board of Selectmen, stating that the property is buildable.

Following a brief discussion, the Commissioners voted as follows:

****A. Fowler moved; B. Johnson seconded to deny the appeal as requested. Unanimous**

Signed this Nineteenth Day of May, 2014 by the Board of Waldo County Commissioners:

William D. Shorey, Chairman

Amy R. Fowler, Associate

Betty I. Johnson, Associate

Attest: _____
Barbara L. Arseneau, Waldo County Clerk

Either party may appeal this decision to the Superior Court of the State of Maine in accordance with the Maine Revised Statutes Annotated Title 36, §844 and the Maine Rules of Civil Procedure, Rule 80B.