

Board of Civil Authority August 4, 2025  
Benson Town Office

Board Members Present: Lynn Bowen, Heidi Chandler, Brad Barrett, Jim Pritchard, Guy Charlton, Daryl Burlett, John Hill and Daric Brown (arrived 5:25)

Others: Edward Peltier (Lister), Lois Trenn, (Lister Chair), Gina Parker (Lister), Bob Fletcher (Attorney), Malachi Brennan (Attorney), Megan Grove (Attorney), Amanda Rohdenburg (Outright VT), Dana Kaplan (Outright VT), Jordan Young (Outright VT).

The meeting was called to order at 5:03 pm by Lynn Bowen.

The Agenda was approved by a motion from Guy Charlton and seconded by Brad Barrett, Motion carried.

### **Minutes**

The minutes of the June 9, 2025 meeting were approved as presented on a motion from Daryl Burlett with a second from Brad Barrett.

Adopt the Board of Abatement rules for procedures on a motion from John Hill with a second from Daryl Burlett, Motion carried.

Adopt Board of Civil Authority rules for Procedure for Property Tax Assessment Appeal Hearings on a motion from Daryl Burlett with a second from John Hill. Motion carried.

Heidi Chandler swore in the BCA.

Request for Appeal of Lister's Grievance decision for property tax exemption on Parcel 6-16. Heidi Chandler clarified that the hearing was for Outright VT, 2050 Sunset Lake Road, Benson, VT. Motion from Daryl Burlett with a second from John Hill. Motion carried.

The Chair swore in the Listers and the appellants. The Chair asked if the appellant received the rules of procedure and if there were any questions. The Chair also asked members to disclose any conflict of interest.

Lois Trenn started the hearing with a description of the property, and noted that 289' of effective frontage on Sunset Lake is deeded as joint use to Sally Strode. The Listers noted that the Change of Appraisal sent to Outright VT referred to the change in ownership and the sale of development rights to Vermont Land Trust, neither of which were factors in the assessment. The Listers stated that Outright VT is not eligible for tax exemption based on their application, and that the tax exemption granted to the Green Mountain Council of the Boy Scouts on the basis of the Council's federal status does not transfer with the land. At grievance, the Listers inspected the property and found that the remainder of the Sunset Lake frontage is in the Town right-of-way, and lowered the \$1,772,100 assessment to \$1,000,500. The Listers denied the grievance from Outright VT for tax exemption.

The Listers contend that Outright VT is not eligible for tax exemption based on their application, also noting again that the tax exemption does not transfer with the land. The Listers took into consideration the primary use of the property as of today and future use, and how this applies to

tax exemption. The purpose of Camp Sunset according to PVR-317 is for a LGBTQ+ youth camp.

Discussion about the road side frontage not being taxable.

Megan Grove, attorney for SRH Law representing Outright VT gave some BCA member handouts, copies were made for everyone. Outright VT is a 501c3 organization supporting queer youths in Vermont since 1989. The Boy Scout camp was an opportunity for Outright VT to expand its mission. They will be keeping the footprints and size of the camp the same, and plan to rehabilitate the buildings. They plan to help the local communities use the property in the future.

Amanda Rohdenburg spoke to the specific programs of Camp Outright, helping to build community oriented skills. They also hosted a prom event.

Daryl Burlett asked about how many people will be rotated in and out of the programs at the camp. Amanda answered two weeks of programs for two weeks starting next year. Discussion on the improvements to Sunset Lake Road. Lois Trenn asked about the improvements to the dam on Lake Sunrise. Amanda said they are looking into it. Lois Trenn asked which Lake frontage Outright VT were going to let the community use. Daryl Burlett asked about the gate by the outlet that use to be used for parking by the community. Answered they would talk in more detail that aspect of the plan.

Megan went over the requirements for tax exemption. They believe that the property is dedicated unconditionally to public use, and it is owned by a not for profit organization, so they feel those requirements are clearly met. They believe the property benefits an indefinite class of people who are part of the public. Court predetermined that an indefinite class doesn't necessarily mean open to the public. According to the Vermont Supreme Court an indefinite class can include blind children and parents of young children. They don't serve the whole public, but are a broad group of people.

Daryl Burlett asked about the ages they served. Amanda Rohdenburg answered that they serve LGBTQ individuals nineteen and under, their caregivers and volunteers. Citing the Peace Corp and BSA are volunteering. Doesn't need to serve all qualified individuals. They believe they clearly meet this requirement. It benefits the kids.

Lynn Bowen asked about troubled youths and challenging behaviors. They said they have had violent and challenging youths. They try to resolve the problems. Asked if Outright VT charges for the program. They do not. Asked how they were funded. Donations, corporate donors.

Lois Trenn spoke about the documents presented, the Listers determined that Outright VT was not eligible for property tax exemption. The property tax does not transfer with the land. Last year the property was tax exempt because the Boy Scouts owned the property on April 1, 2024.

The Listers took into consideration the primary use of the property as it used today, what is planned to be the primary use of the property at a later date, and how these factors apply to tax exemption. It is incumbent on the property requesting tax exempt status to provide strong, convincing evidence, the Listers tried to be as specific as possible in interpreting the evidence.

Discussion on the buildings being in disrepair. Discussion on the criteria in the application process. Usually have a cohort of 50 to 60 campers, with 150 in total people.

Discussion on how many camp sessions may be held in the future and the road impacts.

Lois stated that the activities will be in the future. Amanda talked about things they will be doing this year and that they had a staff retreat last year. They need time to fix up buildings. Lois thought that in the future, they may be tax exempt, but as of April first the property was used as

land only. Discussion on public use of the camp being open to the public, that only a select population can use it. Outright VT will look into these uses in the future, but stated that they are not a public park. There are parameters on who can be there, citing a school as an example of a public building that is not open to the public.

Bob Fletcher, attorney for the Town of Benson, spoke to this being a complicated matter. The granting of an exemption is an exception to the law, the question is the year which is under review, and does it presently serve the purposes that it is supposed to serve? The planned uses are good, but not determinative for the appeal today. What was happening as of April first of this year?

Amanda Rohdenburg didn't realize that we are talking about this year and would have directed their answers to this.

Discussion on being good stewards of the land and that Outright VT needed more time to fix up the camp, which has deteriorated over the last five years.

Guy Charlton recommended the BCA recess the meeting to a future date. Bob Fletcher quoted the statutes on the right to waive. Lynn Bowen asked if Outright VT was willing to waive that right. Bob Fletcher recommended not closing the hearing, and setting a time and date before the inspection. Guy Charlton made a motion to recess the meeting to 5:00 PM on Monday, August 18, 2025, seconded by Daryl Burlett. Motion passed. Lois passed out handouts.

BCA meeting was recessed on a motion from Guy Charlton, seconded by Jim Pritchard at 6:12 PM.