

RESOLUTION NO. 2015-04

VILLAGE OF ARLINGTON
COLUMBIA COUNTY, WISCONSIN

A RESOLUTION ADOPTING A POLICY FOR ACCEPTING
ORAL OR SWORN WRITTEN TESTIMONY FOR THE
VILLAGE OF ARLINGTON BOARD OF REVIEW

RECITALS:

WHEREAS, the Wisconsin State Legislature enacted 2015 Wisconsin Act 228, which made numerous changes to the acceptance of testimony for the Board of Review; and

WHEREAS, Wisconsin State Statute sec. 70.47(8), authorizes the Board of Review to consider requests from a property owner or their representative to testify under oath by telephone or written statements under oath; and

THEREFORE, BE IT RESOLVED by the Village of Arlington, Columbia County, Wisconsin, that it hereby approves a policy that sets forth procedures and criteria for the BOR to consider when an application is made to testify before the Board Of Review by telephone or sworn written testimony.

This Resolution was adopted by the Village of Arlington Board of Trustees on this 12th day of October, 2015.

Ayes: 4

Nays: 0

VILLAGE OF ARLINGTON

By:



Bryan Bjorge
Village President

Attest:



P.J. Monson
Village Clerk

Adopted:
Posted:

VILLAGE OF ARLINGTON
Board of Review Policy on Procedure for Sworn Telephone
Or Sworn Written Testimony Requests

Whereas, sec. 70.47(8), Wis. Stat. authorizes the Board of Review to consider requests from a property owner or the property owner's representative to testify under oath by telephone or written statements under oath to the Board of Review and whether to allow the same; and

Whereas, the Department of Revenue has determined that the legal requirements of the Notice to appear at the Board of Review must be satisfied and the objection form must be completed and submitted to the Board of Review as required by law prior to a Request to Testify by telephone or Submit a Sworn Written Statement form being submitted.

Now, therefore, the Village Board of the Village of Arlington, Columbia County, does hereby adopt as Board of Review policy the following:

1. PROCEDURE:

Before the Board of Review (hereafter "BOR") can consider a request from a property owner or the property owner's representative (hereafter "owner") to testify by telephone or submit a sworn written statement, the owner must first complete and file with the Village Clerk the following documents:

- a) A timely Notice of Intent to Appear at BOR
- b) A timely Objection Form for Real Property Assessment (PA-115A); and
- c) A fully completed Request to Testify by Telephone or Submit a Sworn Written Statement at BOR (Form PA-814)

Such requests must be filed with the Village Clerk within the first 2 hours of the BOR's first scheduled meeting. If the owner fails to file the aforementioned documents as required, the BOR will not consider the request.

2. CRITERIA:

The BOR may consider any or all of the following factors when deciding to grant or deny the request:

- a) The owner's stated reason(s) for the request as indicated on the PA-814
- b) Fairness to the parties
- c) Ability of the owner to procure in person oral testimony and any due diligence exhibited by the owner in procuring such testimony
- d) Ability to cross examine the person providing the testimony
- e) The BOR's technical capacity to honor the request
- f) Any other factors that the BOR deems pertinent to deciding the request

Adopted by the Arlington Village Board on October 12, 2015 on a vote of 5-0. This policy shall be effective upon passage.


Bryan Bjorge, Village President

10-12-15
Date


PJ Monson, Village Clerk

10-12-15
Date