

DUKE SIMONEAU vs. TOWN OF BROOKS
PETITION #332(2)
November 6, 2007
9:30 A.M.
(TAPE 1-A)
REMANDED TAX ABATEMENT HEARING FROM
ADJOURNED MARCH 7, 2007, PETITION #332

PRESENT: Waldo County Commissioners John M. Hyk, Chairman; Amy R. Fowler and Donald P. Berry, Sr. Present with the Commissioners was Defendant Town of Brooks Selectman Raymond Shute along with the Town of Brooks counselor Michael Clisham. The Petitioner, Duke Simoneau, had telephoned in advance to say that he would not be attending the remanded hearing. Present to observe the proceeding was Unity citizen James Kenney. Recording the minutes was County Clerk Barbara Arseneau, assisted by Deputy County Clerk Veronica Stover.

Commissioner John Hyk opened the hearing by reading the rules of the proceeding.

J. Hyk: [To the Commissioners] Ladies and Gentlemen, we're prepared to begin?

A. Fowler: Certainly.

D. Berry, Sr.: Um hum.

A. Fowler: [To the selectmen] Good morning.

(All greeted one another.)

A. Fowler: [To Brooks' counselor] I don't remember your name.

M. Clisham: Good morning.

A. Fowler: We've had the opportunity to review the information – the new information that we have. How were we going to go? Could I ask them a question? May I ask?

J. Hyk: Sure.

A. Fowler: May I?

J. Hyk: Sure.

R. Shute: Are we taking notes already?

A. Fowler: Right. Right.

B. Arseneau: I'm writing down who's present.

R. Shute: Oh, O.K.

A. Fowler: Is it true that you folks are in the process – you have hired a tax – an assessor?

J. Hyk: An “attack assessor?” (All laughed.)

R. Shute: We have done that, yes.

A. Fowler: You have an attack assessor?

R. Shute: Yes, we do. From Rhode Island. Know him personally! (All laughed.)

J. Hyk: Don?

****D. Berry, Sr.: I, at this point in time, reading the decision of the court and having it remanded back to us, I therefore move that we deny this petition or abatement and bring this case to a close.**

****A. Fowler: I second that.**

J. Hyk: Well, I think a little discussion is in order, if you don't mind.

A. Fowler: Well, you have to.

J. Hyk: It's not often that everyone wins. In this chance – this case – this chance – everyone's a winner. I mean, everybody got what they wanted.

R. Shute: Not really.

J. Hyk: No?

R. Shute: No.

J. Hyk: Well, do you want to explain that?

R. Shute: Nope.

J. Hyk: You don't have to.

R. Shute: Nope.

J. Hyk: O.K. Well, good! Then we'll take the vote. All in favor? Oh, could you read the motion back, Barbara?

B. Arseneau: Commissioner Berry moved, in view of the remand back to you folks, to deny the petition of Duke Simoneau.

D. Berry, Sr.: That's correct.

J. Hyk: Any further discussion?

A. Fowler: As I say...no.

J. Hyk: Seeing there is none, all in favor? (Motion passed unanimously.)

J. Hyk: Thank you very much.

R. Shute: Thank you.

D. Berry, Sr.: Thank you.

Respectfully submitted by *Barbara L. Arseneau*
Waldo County Clerk