



Mark W. Price
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MINUTES OF MEETING
16 January 2020
BRAZOS CENTRAL APPRAISAL DISTRICT
BOARD OF DIRECTORS

1. Declaration of Quorum and Call to Order

Bill Lero as Chairman, having determined that a quorum was present, called the meeting to order at 8:30 a.m. on Thursday 16 January 2020 at 4051 Pendleton Dr., Bryan, Texas.

Members Present: Bill Lero (Chairman), Kyle DeWitt, John Flynn, Russ Ford, Tim Jones, Ron Kaiser and Kristy Roe.

Members Absent: Jason Bienski

BCAD Staff: Mark Price, Dana Horton, Debbie Lockledge

BCAD Staff Absent: n/a

Guests: n/a

2. Affirmation of Board Member Eligibility.

Mr. Lero asked that Ms. Lockledge instruct them on the Statement of Elected/Appointed Officer and the Oath of Office. The Board members present affirmed their eligibility to serve by signing the Statement of Elected/Appointed Officers, pursuant to Texas Constitution Art. XVI, Sect. 1(d), amended 2001. All Board members recited the statement for the record and signed this statement before Ms. Lockledge as a Notary Public.

3. Issuance of Oaths of Office.

The issuance of Oaths of Office was administered to all Board members to affirm their appointment as a member of the Brazos Central Appraisal District Board of Directors for 2020. All members present stated the Oath of Office for the record and signed their Oath of Office before Ms. Lockledge as a Notary Public, thereby confirming their 2020 appointment.

4. Election of Officers for 2020.

The next item brought up for consideration was the election of Officers for 2020. Mr. Lero noted that anyone is welcome to nominate themselves or any other Board member for these

positions. No new nominations were submitted. The general consensus was to reappoint the following 2019 officers to continue serving for 2020:

Chairman: Bill Lero

Vice Chairman: John Flynn

Secretary: Tim Jones

Dr. Kaiser made the motion to re-appoint these same officers for 2020; Mr. DeWitt seconded this motion. The motion passed unanimously.

5. Acknowledgement of visitors and hear citizen comment.

Mr. Lero acknowledged that there were no visitors present at the meeting at this time.

6. Recognition of affidavits (if any) filed in response to State law on disclosure of conflict of interest.

None.

7. Consent Agenda.

The following items, being on the consent agenda, were considered:

- a. **Approval of cash disbursements for November & December 2019.**
- b. **BCAD financial account review.**
- c. **Board of Director minutes for previous meeting(s).**

Mr. Price asked for 7(b) to be pulled from the consent agenda for further discussion. Dr. Kaiser removed 7(b) from the consent agenda, and Mr. Jones moved to approve 7(a) and (c); Mr. Flynn seconded the motion. The motion passed unanimously.

Mr. Price noted that in the past, the financial account review consisted of bank statements and a BDLT5 report generated in the CIC accounting system used. Now that BCAD no longer uses that system and has outsourced much of our accounting processes, the company BCAD now contracts with for this service provided a financial statement for the Board's review. Mr. Jones noted the absence of any cash disbursement reporting. Mr. Lero concurred that some type of summary list similar to the BDLT5 report is needed for a review of what amounts are being paid out and to whom, and for what purpose to have a better accounting of the use of BCAD funds for the Board's review. Mr. Price agreed to have the accounting firm provide a report similar to the BDLT5 beginning with next month's meeting packet.

Mr. Jones moved to approve 7(b); Mr. DeWitt seconded the motion. The motion passed unanimously.

8. Convene into Executive Session pursuant to sec. 551 of the Texas Government Code.

a. Under Section 551.074 regarding Personnel Matters.

The Board went into Executive Session at 8:44 a.m.

b. **Action, if any, on the Executive Session.**

No action was taken on the Executive Session. The Executive Session was closed and the meeting reopened in Regular Session at 9:00 a.m.

9. **Discussion, consideration and possible action on:**

a. **Settlement of Pending Litigation.**

1. **Cause No. 17-002244-CV-85**, BVP Parkway Place LP vs. Brazos CAD;
Cause No. 18-002310-CV-CCL1, BVP Parkway Place LP vs. Brazos CAD.

Ms. Horton presented, noting that the 17 Cause No. includes 2016 as well. BVP 2818 Place, which is the property next door to BVP Parkway Place, was previously presented to the Board. Plaintiff has attempted to sell this property for less than the appraised value, but they have not been successful thus far. Both sides had market and equity appraisals performed. After reviewing both sets of appraisals, a settlement offer was agreed to for all three (3) years, pending Board approval. The location is problematic for their target market, not being on a shuttle bus route. There has been some discussion about changing the classification for this complex. After further discussion, Mr. Ford made the motion to approve the settlement as presented; Mr. Jones seconded. The motion was approved unanimously.

2. **Cause No. 17-002381-CV-361**, Apexone Buccaneer LLC vs. Brazos CAD.

Ms. Horton presented, noting that the Plaintiff submitted an offer to settle this litigation, which was accepted pending Board approval. Mr. Flynn made the motion to approve the settlement offer as outlined; Mr. DeWitt seconded the motion. The motion passed unanimously.

3. **Cause No. 19-002443-CV-85**, HRA Enclave LLC vs. Brazos CAD.

Ms. Horton presented, noting this is an apartment complex that is part conventional and part per bedroom, making it difficult to find comps for. After speaking with the agent and agreeing on a comp set to use for comparisons, a settlement offer was proposed and accepted pending Board approval. Mr. DeWitt made the motion to approve the settlement offer as presented; Mr. Ford seconded the motion. The motion passed unanimously.

b. **Acknowledgement of the Taxpayer Liaison Officer's November & December 2019 report.**

The November 2019 TLO Report was reviewed and acknowledged by the Board. The December 2019 report was not received in time for this meeting, and will be placed on the next available Board agenda upon receipt.

Mr. Price asked if the Board wanted to return to quarterly reports from the TLO, noting that quarterly reports are what is required in the Tax Code. The Board had requested monthly reports when a complaint was submitted in writing several months ago. The question before the Board at this time is whether or not they are comfortable returning to quarterly reports at this time. The overall consensus was to return to quarterly reports in 2020.

10. Chief Appraiser Update on Appraisal District activities, attendance at meetings and events, information on upcoming activities, meetings and events.

Mr. Price noted that work has begun on next year's business. He expects to receive the State Comptroller's report on the ratio study in the very near future. Mr. Price, Ms. Horton, Mr. Warren and Ms. Earnest traveled to Dallas to visit with their staff and discuss their ARB processes and litigation. Dallas CAD staff indicated they were seeing the same trends as those noted here.

11. Consideration of other business and future agenda items.

Mr. Jones noted that he and other Board members have had contact with a local constituent who has identified a firm that specializes in reconciliation of homestead issues in tax districts around the state with some success. Their efforts are returning properties that had an improper exemption status to the tax roll with the appropriate tax assessed for the correct and updated exemption status. Mr. Jones noted that it is his understanding that if they are not successful in accomplishing this, there is no cost to the CAD. Mr. Price added that he has been researching the success rate in other districts and the costs involved.

Mr. Price also noted that letters from companies offering to file homestead exemptions for a fee have been sent out to property owners again, and reminded the Board that Brazos CAD offers this service at no charge, which these letters fail to mention. An alert notifying property owners about these letters has been placed on the Brazos CAD website.


12. Consideration and action for date, place, time and agenda for next meeting.


The next regular meeting was set for Thursday 20 February 2020 at 8:30 a.m.

13. Adjournment.

There being no further business, the meeting was adjourned at 9:30 a.m.

Examined and approved this 20 day of February 2020.


Accepted: Chairman


Accepted: Secretary


Accepted: Vice-Chairman