



Dana Horton
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MINUTES OF MEETING
15 December 2022
BRAZOS CENTRAL APPRAISAL DISTRICT
BOARD OF DIRECTORS

1. Declaration of Quorum and Call to Order.

Bill Lero as Chair, having determined that a quorum was present, called the meeting to order at 8:30 a.m. on Thursday 15 December 2022 at 4051 Pendleton Dr., Bryan, Texas.

Members Present: Bill Lero (Chair), John Flynn, Tim Jones, Kyle DeWitt, JJ Ruffino; and Dr. Ron Kaiser.

Members Absent: Jason Bienski, Kristy Roe

BCAD Staff: Dana Horton, David Kehlenbrink and Debbie Lockledge

BCAD Staff Absent: Scott Warren

Guests: Nick Fusco as Brazos CAD legal counsel.

2. Acknowledgement of Visitors and Hear Citizen Comments.

Mr. Lero noted there were no visitors at that time, and acknowledged everyone who was in attendance as listed above.

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

None.

4. Consent Agenda.

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

- a. Approval of cash disbursements for November 2022.
- b. BCAD financial account review.
- c. Board of Directors minutes for previous meeting(s).

Mr. DeWitt made the motion to approve the consent agenda; Mr. Jones seconded the motion. The motion passed unanimously.

5. Homestead Audit Bid Proposals – open bids

Ms. Horton noted that two bids were received for the Homestead Audit. They were from:

- Linebarger, Goggini Blair & Sampson, LLP attorneys at law (the firm/Linebarger); and
- Perdue, Brandon, Fielder, Collins & Mott, LLP attorneys at law (the firm/Perdue Brandon).

Ms. Horton reminded the Board that these bids were in response to the RFP that had been sent out with a due date of 12/14/2022. Mr. Lero asked that Ms. Horton, Mr. Kehlenbrink and Mr. Warren review the two submissions, prepare a summary and spreadsheet of these bid proposals and bring this back to the Board in January with their recommendation.

6. Executive Session

The Brazos Central Appraisal District determined that it is reasonable and necessary to go into an Executive Session. The Board recessed from the regular session at 8:40 a.m. and went immediately into Executive Session at 8:41 a.m. to discuss the following matters:

a. Consultation with BCAD's legal counsel regarding legal matters or pending and/or contemplated litigation or settlement offers – Texas Government Code Section 551.071.

b. Action, if any, on Executive Session (1).

No action was taken on the Executive Session. The Board adjourned the Executive Session at 8:55 a.m., and reconvened in Regular Session at 8:56 a.m. following a brief break.

7. Discussion, consideration and possible action on:

a. Homestead Audit Bid Proposals.

Ms. Horton noted that she and the 2 Asst. Chief Appraisers will review, compare and present their findings to the Board in the January Board meeting.

b. Proposed Settlement(s) of Pending Litigation.

Ms. Horton stated that agenda item 7(b)(3) needs to be removed as it has already been settled. Mr. Jones made the motion to approve the proposed settlements for agenda item 7(b)(1, 2 & 4) as submitted and outlined in Addendum A (see attachment); Dr. Kaiser seconded the motion. The motion was approved unanimously.

c. Allocation of Excess 2022 Budget Funds to Budget Year 2023 for Use in Specific Areas.

The Board considered the following Resolutions establishing reserve funds:

- (1) Resolution 22-007 establishing the Technology Reserve with \$100,000;
- (2) Resolution 22-008 establishing the Litigation Reserve with \$100,000;
- (3) Resolution 22-009 establishing the Building Maintenance Reserve with \$50,000.

Ms. Horton presented, noting where BCAD had excess funds in the 2022 budget that could be used to create these reserve funds. If approved, in January she will bring to the Board an amended 2023 budget that takes some of the excess funds from the 2022 budget, allocates them and obligates them for certain areas in 2023. She then outlined why she anticipates needs in these areas in the future.

Dr. Kaiser suggested more specific areas stipulated on the technology resolution and noted that BCAD budgets for these areas, so these reserves would be used only when we exceed the

budgeted funds. Ms. Horton noted that as Board approval would be required before these funds could be used, she did not feel further restrictions within the resolution were necessary.

Mr. DeWitt noted that he thought these reserves would be funded over a period of time rather than instantly in one year. Mr. Flynn added that historically, income from interest and map copies were used, which are not the entities' funds, whereas these are. He considers it a radical change for the Appraisal District to keep entity funds that are not used and is not comfortable keeping entity funds that have historically been returned every year. He does not support going forward with this. After further discussion, Dr. Kaiser made the motion to approve Resolution 22-009 establishing the Building Maintenance Reserve; Mr. Jones seconded the motion. The motion passed, with Mr. DeWitt and Mr. Flynn voting against.

No action was taken on agenda items 7(c) 1 & 2 at this time.

8. Chief Appraiser Update on Appraisal District Activities.

Ms. Horton noted that she attended the Property Tax Institute held locally in December, and plans to attend the TAAD Annual Conference in February.

9. Recognition of outgoing Board member in gratitude of his years of service.

Tim Jones was recognized for his diligence and hard work as a Board member, and his many years of service. He was presented with a plaque from the Board and Brazos CAD.

10. Consideration of other business and future agenda items – no action to be taken.

Ms. Horton mentioned that there had been some discussion about meeting quarterly as opposed to monthly. Most Board members present stated they prefer continuing to meet monthly.

Ms. Horton announced that she had been notified that CSISD has located their replacement who will complete the remainder of Tim Jones' term. His name is Dell Seiter.

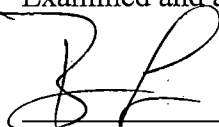
11. Date, Place and Time for Next Board Meeting.

The Board agreed to meet on Thursday 19 January 2023 at 8:30 a.m. in the BCAD Boardroom.

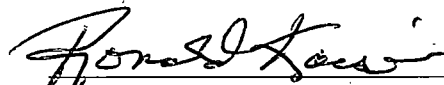
12. Adjournment.

There being no further business, the meeting was adjourned at 9:43 a.m.


Examined and approved as of this 19th day of January 2023.



Accepted: Chairman



Accepted: Secretary



Accepted: Vice-Chairman

LITIGATION SETTLEMENTS*As Approved by the Board of Directors***15 December 2022****1. Cause No. 22-002363-CV-272**

YEAR	PID	AGREED VALUE
2022	18594	\$ 24,100,000

2. Cause No. 21-002015-CV-85

YEAR	PID	AGREED VALUE
2021	302628	\$ 5,500,000

3. Cause No. 20-002387-CV-85

YEAR	PID	AGREED VALUE
2020	302628	No Action Taken

4. Cause No. 20-002375-CV-361

YEAR	PID	AGREED VALUE
2020	45456	\$ 6,150,000
2021	45456	\$6,600,000
2022	45456	\$ 6,625,000