



**Dana Horton**  
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**MINUTES OF MEETING**  
**22 August 2024**  
**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 22 August 2024 at 4051 Pendleton Dr., Bryan, Texas.

Members Present: Bill Lero (Chair), John Flynn, Ron Kaiser, Jane Sherman, Melissa Leonard, Rafael Pena, Raul Pendas, Rick Lemons, Silas Garrett.

Members Absent: Jonna Schreiber, Kyle DeWitt

BCAD Staff: Dana Horton, David Kehlenbrink Scott Warren and Debbie Lockledge.

BCAD Staff Absent: n/a

Guests: Emily Brown with Perdue, Brandon, Fielder, Collins & Mott LLP as Brazos CAD legal counsel; Bill Oliver & Julia Lewis with KBTX; Mike Sutherland.

**2. Affirmation of Board Membership Eligibility.**

**3. Issuance of Oath of Office and Statement of Elected/Appointed Officer for New Board Members.**

The Oath of Office and Statement of Elected/Appointed Officer were administered to:

Rafael Pena, Place 1

Jane Sherman, Place 2

Melissa Leonard, Brazos County Tax Assessor/Collector

**4. Acknowledgement of Visitors and Hear Citizen Comments.**

Mr. Lero acknowledged everyone who was in attendance as listed above. He then asked each Board member to introduce themselves and note who they represent.

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

None.

**6. Consent Agenda.**

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

- a. Approval of cash disbursements for May, June and July 2024.
- b. Brazos CAD financial account review.
- c. Board of Directors minutes for previous meeting(s).

After further discussion, Dr. Kaiser made the motion to approve the consent agenda; Mr. Pena seconded the motion. The motion passed unanimously.

7. **Executive Session**

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

- a. Pursuant to Texas Government Code §551.071:
  - (1) To meet with its attorney and seek advice regarding pending or contemplated litigation and settlement offers; and
  - (2) To consult with its attorney regarding matters on which the attorney has a duty to advise the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.
- b. Pursuant to Texas Government Code §551.074:
  - (1) To discuss personnel matters; and
  - (2) To deliberate the evaluation and duties of the Chief Appraiser.

No action was taken on the Executive Session. The Board adjourned the Executive Session at 10:25 a.m. and immediately reconvened in Regular Session.

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

a. **Proposed Settlements of Pending Litigation.**

Mr. Garrett made the motion to approve all proposed settlements (1-31) as presented and outlined in Addendum A (see attached); Mr. Pena seconded the motion. The motion passed unanimously.

b. **Possible Modification of terms and conditions of the current employment contract between the Chief Appraiser and Brazos CAD.**

Mr. Lero noted this was on the previous meeting's agenda but no action was taken at that time. Dr. Kaiser made the motion to extend the Chief Appraiser's contract to 12/3/2026 with compensation remaining at \$150,000/year; Mr. Pena seconded the motion. The motion passed unanimously. Dr. Kaiser added that he would like the Board to have benefit of the results of the salary survey that is currently in process.

c. **Creation of a Brazos CAD Internal Auditor position.**

Ms. Horton noted that Mr. Pendas asked for this to be on the agenda. Mr. Pendas outlined his vision for the purpose of this position and what his/her responsibilities would be. Dr. Kaiser suggested hiring a consultant for this as the needs arise. Mr. Flynn noted that he does not feel it is the Board's job to micromanage the Chief Appraiser or the staff.

After further discussion, the Board determined to further consider this, with the option to put it back on the agenda at a future date for additional discussion.

d. **Resolution 24-005 Reappointing Ray Grisham as Taxpayer Liaison Officer for the Brazos Central Appraisal District.**

Mr. Lemons asked if this is a paid position, and was informed that it is. Dr. Kaiser moved to approve the resolution; Mr. Flynn seconded the motion. The motion passed unanimously.

e. **Resolution 24-006 Appointing David Kehlenbrink, RPA, as Deputy Taxpayer Liaison Officer for the Brazos Central Appraisal District.**

Ms. Horton noted that in the last legislative session, many additional duties were added to the Taxpayer Liaison Officer's position, and gave CAD's the option to appoint a deputy TLO. As Deputy TLO, Mr. Kehlenbrink would assist Mr. Grisham in his taxpayer liaison duties. Mr. Pena made the motion

to approve this resolution; Mr. Garrett seconded the motion. The motion received unanimous approval.

**f. Review and possible action on the application of Bobby A. Boenigk to the Appraisal Review Board.**

Ms. Horton noted that the Appraisal Review Board (ARB) is currently a 10 member board with all positions filled. Mr. Boenigk was interested in serving as an auxiliary member. Since protest season is predominantly over for this year, the ARB felt it would be best to address this at the end of the year, and take no action at this time. After further discussion, the Board took no action at this time.

**g. Interlocal Agreement with Texas Municipal League (TML) Intergovernmental Risk Pool to participate in the newly created Cyber Fund.**

Ms. Horton outlined the services TML offers to CADs, noting that cyber security has become a much larger issue, and the advantages of going with TML.

Ms. Horton recommended staying with TML, and going with the Core+ policy. Dr. Kaiser so moved to approve per Ms. Horton's recommendation; Mr. Pena seconded the motion. The motion passed unanimously.

**h. Proposed Changes to the Brazos CAD Board of Directors Policies and Procedures.**

Ms. Horton presented, giving an overview of the changes that were implemented in this document. Dr. Kaiser asked if this document had been vetted with Jon Miller; Ms. Horton responded she had not but agreed to do so. Dr. Kaiser noted it could be approved today and then amended if needed after Mr. Miller's review.. Motion was made by Mr. Pena to approve the proposed changes to the Brazos CAD Board of Directors Policies & Procedures' Dr. Kaiser seconded the motion. The motion passed unanimously.

**i. Preliminary 2025 Brazos Central Appraisal District's Operating Budget.**

Ms. Horton presented, noting there have been no changes since it was first on the agenda. She is still waiting on the Atwater salary survey results. The 2025 budget has to be approved before 9/15/2024, so the next Board meeting will be 9/12/2024 so we can meet that deadline. Dr. Kaiser noted that if we have not received the salary survey by the deadline to approve the budget, we can do an amendment to the budget if needed. Ms. Horton confirmed this.

**j. Brazos Central Appraisal District's 2025-2026 Reappraisal Plan.**

Ms. Horton noted she has not completed this item and will have it ready for the September agenda.

**k. Chief Appraiser's 2<sup>nd</sup> Quarter Investment Report for 2024.**

Ms. Horton presented, outlining the details of the information this report contains. No action was required.

**l. Acknowledgement of the Taxpayer Liaison Officer's 2<sup>nd</sup> Quarter Report for 2024.**

Ms. Horton presented, noting that she had made Mr. Grisham aware of the appointment of David Kehlenbrink as a Deputy Taxpayer Liaison Officer.

**7. Chief Appraiser Update on Appraisal District Activities, Attendance at Meetings and Events; Information on Upcoming Activities.**

Ms. Horton presented, noting that certificates were prepared for the newly elected Board members. She also gave an overview of how the Board will be structured moving forward.

- Ms. Horton is aware that some Board members are having problems with their BCAD e-mail account, so she has not set up accounts for the new Board members as of yet. She has asked BIS, our 3<sup>rd</sup> party IT vendor, to be available for the September or October meeting and assist with getting the new Board members set up and any others still having issues taken care of.
- Ms. Horton outlined the process of certifying the tax roll for the new Board members.

- Ms. Horton provided a report on protests, values, value changes, etc.
- Ms. Horton asked to close the office on 16 September 2024 for a staff appreciation luncheon.
- Ms. Horton provided a preliminary report from Atwater for the Board to review.
- An update on the Homestead Audit was provided, with an explanation of what that entails for the new Board members.

After further discussion, Ms. Horton concluded her update.

8. **Consideration of Other Business and Future Agenda Items.**

None were discussed.

9. **Date, Place and Time for Next Board Meeting.**

The next regular Board meeting will Thursday 12 September 2024 at 8:30 a.m. in the Brazos CAD boardroom, thereby allowing Brazos CAD to meet the deadline for approving the 2025 Budget..

10. **Adjournment.**

There being no further business, the meeting was adjourned at 11:50 a.m.

Examined and approved as of this 12th day of September 2024.

  
Accepted: Chairman

absent  
Accepted: Secretary

absent  
Accepted: Vice-Chairman

# LITIGATION SETTLEMENTS

*As Approved by the Board of Directors*

**22 August 2024**

**Addendum A**

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**1. Cause No. 22-002309-CV-272**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	37924	\$ 1,300,000

**2. Cause No. 23-002730-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	397452	\$ 27,303,980
	397453	\$ 196,020

**3. Cause No. 23-002608-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	77847	\$ 23,000,000

**4. Cause No. 23-002924-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	304573	\$ 5,348,300

**5. Cause No. 23-002932-CV-272**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	96715	\$ 3,650,000

**6. Cause No. 22-002312-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	42165	\$ 1,750,000

**7. Cause No. 23-002925-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	42165	\$ 2,000,000

## 8. Cause No. 21-002534-CV-272

YEAR	PID	AGREED VALUE
2021	307448	\$ 5,560,000

## 9. Cause No. 23-002927-CV-85

YEAR	PID	AGREED VALUE
2023	305549	\$ 3,380,904

## 10. Cause No. 23-003337-CV-272

YEAR	PID	AGREED VALUE
2023	116757	\$ 9,000,000

## 11. Cause No. 22-002310-CV-85

YEAR	PID	AGREED VALUE
2022	305549	\$ 3,164,160

## 12. Cause No. 23-002908-CV-85

YEAR	PID	AGREED VALUE
2023	101869	\$ 19,995,500
2024	101869	\$ 20,338,510

## 13. Cause No. 22-002277-CV-361

YEAR	PID	AGREED VALUE
2022	17344	\$ 10,250,000

## 14. Cause No. 22-002202-CV-85

YEAR	PID	AGREED VALUE
2022	27884	\$ 5,255,211
	37923	\$ 2,350,000
	44857	No Change
	76722	No Change
	96927	No Change
	102046	\$ 6,491,350
	105047	\$ 6,400,000
	349758	\$ 1,587,345

**15. Cause No. 23-002738-CV-272**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	300927	\$ 6,836,820

**16. Cause No. 23-002790-CV-272.**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	307585	\$ 17,300,000

**17. Cause No. 23-002783-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	307576	\$ 21,000,000

**18. Cause No. 23-002788-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	359188	\$ 180,260
	359187	\$ 76,819,740

**19. Cause No. 23-002612-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	18542	\$ 3,901,500
	18711	\$ 18,598,500

**20. Cause No. 22-002597-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	349370	\$ 946,804

**21. Cause No. 23-002479-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	101776	\$ 34,146,417

**22. Cause No. 23-002611-CV-272**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	44961	\$ 2,814,514
	44963	\$ 11,632,673

**23. Cause No. 23-001935-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	356669	\$ 1,843,525
	90667	\$ 1,667,000
	349481	\$ 1,300,000

**24. Cause No. 22-003336-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	112849	\$ 5,638,467

**25. Cause No. 22-002241-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	425363	\$ 4,500,000

**26. Cause No. 22-002314-CV-272**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	105421	\$ 7,200,000
2023	105421	\$ 9,978,220

**27. Cause No. 22-002237-CV-472**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	307448	\$ 7,650,000

**28. Cause No. 22-002329-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	360772	\$ 9,000,000

**29. Cause No. 22-002525-CV-85**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	23309	\$ 1,784,970

**30. Cause No. 22-002313-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2022	407247	\$ 5,388,820

**31. Cause No. 23-003069-CV-361**

<b>YEAR</b>	<b>PID</b>	<b>AGREED VALUE</b>
2023	407247	\$ 6,500,000