

Board of Directors Policies and Procedures Lipscomb County Appraisal District

Forward

Lipscomb County Appraisal District is a political subdivision of the State of Texas created by the Legislature through enactment of the Texas Tax Code.

The district's primary responsibility is to develop each year an appraisal roll for use by taxing units in imposing as valorem taxes in accordance with the Texas Property Tax Code.

Our mission is to courteously and efficiently serve the property owners and taxing entities (cities, schools, county and special districts) of Lipscomb County by timely producing an accurate, complete and equitable appraisal roll.

This Board of Directors Policy Manual supplements the most current Appraisal Districts Director's Manual (Director's Manual) published by the Texas Comptroller of Public Accounts. The Director's Manual is a comprehensive reference guide that explains constitutional requirements, state laws and rules that govern the conduct of not only appraisal district boards of directors but also appraisal districts. The scope of this manual is much narrower. It brings together certain written policies that state law specifically requires and summary descriptions of how the board of directors fulfills other statutory requirements about which detailed written policies are not required. This policy manual is not a substitute for or a summary of the various manuals and guidelines for the district's day-to-day operations.

The board of directors governs Lipscomb County Appraisal District. The board's primary duties are to select the chief appraiser, to adopt the annual budget and to ensure that the district follows policies and procedures set by law. The board does not appraise property or make decisions that affect the appraisal records for particular properties.

BOD-001 COMPOSITION OF THE BOARD OF DIRECTORS

BOD-001.01 Selection

The Board of Directors has ten members. Nine voting members are appointed by Booker ISD, Darrouzett ISD, Follett ISD, Higgins ISD, City of Booker, City of Darrouzett, City of Follett, City of Higgins and Lipscomb County Commissioners. The Lipscomb County tax Assessor-Collector serves as the tenth, non-voting member.

BOD-001.02 Term

Members of the board serve two-year terms beginning on January 1 of even-numbered years. An exception occurs for the Tax Assessor-Collector who serves by statute with no term limitations.

BOD-001.03 Eligibility of Board Member

Board members must reside within the boundaries of the Lipscomb County Appraisal District. The boundaries of the appraisal district are the same as the county. To be eligible to serve on the appraisal district board a person must have lived in the district for at least two years just prior to his or her swearing in. The law bars all taxing unit employees other than elected officials and governing body members from serving on the appraisal district board of directors.

The law also bars a person from serving on the board of directors if that person is a party to a contract with the appraisal district or to a contract involving property tax matters with a taxing unit in the district. This prohibition applies if the person has a substantial interest in a business with such contacts.

Persons are also ineligible to serve as district directors if a relative within the second degree by blood or marriage under Chapter 573, Government Code does business in the appraisal district as a paid property agent or as a fee appraiser who performs appraisals for the use in property tax proceedings.

A person is disqualified from serving on the board of directors if the person owns property on which delinquent property taxes have been owed for more than 60 days after the person know of should have known off the delinquency. This restriction does not apply if the person is paying the delinquent taxes under an installment agreement or has deferred or abated a suit to collect delinquent taxes.

The chief appraiser may not employ certain relatives of a member of the board of directors. Any relative within the second degree by marriage of the third degree by blood under Chapter 573, Government Code is barred from employment.

BOD-001.04 Board Vacancies

When a vacancy occurs, the governing body of the taxing unit that appointed the person who vacated the position selects the replacement. The procedure used is the same as that for the original appointment.

BOD-001.05 Officers of the Board

The board elects a chairman, vice-chairman and a secretary at its first meeting of the calendar year. To later fill a vacancy in one of these offices, the board elects a replacement at the first meeting after the vacancy occurs.

BOD-001.06 Compensation

Members receive no compensation for service on the board. They are entitled to reimbursement for actual and necessary expense incurred in the performance of their duties. They are entitled to reimbursement at the rates and rules applicable to district employees.

BOD-001.07 Board of Directors Training Requirements

All members of the Board of Directors shall complete an Open Meeting and Public Information training course of not less than one hour.

BOD-002 OPERATION OF THE BOARD OF DIRECTORS

BOD-002.03 Meeting Schedule and Format

The board ordinarily meets quarterly at the District offices at 101 Broadway, Darrouzett TX. They designate the meeting time, day or place if needed. Meetings start promptly at the scheduled hour or as soon thereafter as a quorum is present.

A majority of the members of the board constitutes a quorum. The Lipscomb County Tax Assessor-Collector serving as a non-voting member is counted in determining the presence of a quorum for a meeting.

The chairman may call special meetings or emergency meetings. During any meeting, the board may vote to call a special or emergency meeting.

The agenda of each meeting shall be published by the Chief Appraiser pursuant to the requirements of the Texas Open Meeting Act. Either the Chief Appraiser, or any Board member, may place an item on the agenda of the Board of Directors by notifying the Chief Appraiser of his or her desire to do so no later than 10:00 a.m. on the fourth day prior to any scheduled meeting.

The chief appraiser prepares agenda packets and meeting notices of behalf of the board. The chief appraiser normally delivers the agenda for the next meeting financial information, and the minutes of the last meeting to each member at least forty-eight hours before each regular meeting. The chief appraiser prepares and post meeting notices as required by law. Only items posted in the meeting notice may be acted upon at the meeting.

The board conducts its meeting under Roberts Rules of Order Revised. The board may hold a closed or executive session that excludes the public to the extent permitted by law.

Bod-002.002 Public Access to Board Meetings

Lipscomb County Appraisal District board of directors shall conduct all meeting in accordance with the Texas Open Meeting Act. The board shall also provide regular opportunities for the public to speak to the board on issues under the board's jurisdiction.

The agenda for each regularly scheduled meeting of board shall include an agenda item for public comments. At each such meeting, the chairman shall announce that anyone wishing to address the board on issues under the board's jurisdiction may do so. The chairman shall allow each speaker three minutes but may expand the time as needed if doing so will not interfere with the board's completing its business and adjourning its meeting at a reasonable time. The board may refuse to hear comments on subjects not reasonably related to the policies and procedures of the Lipscomb County Appraisal District and comments not reasonably related to other issues under the board's jurisdiction. Except when the board conducts a public hearing on a particular issue, the board will receive citizen comments only during the period specified by the agenda for public comments.

All members of the public in attendance at any regular, special and/or Emergency meeting shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Board of Directors; in participating in public discussion before the Board; and in all actions in the presence of the Board. Those members of the public that do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Board's order and/or continued disruption of the meeting may result in removal from the board meeting.

If a person who does not speak English or a person who communicates by American Sign Language notifies the chief appraiser in writing at least three business days before a regularly meeting that he or she desires to address the board and unable to provide an interpreter, the district shall make reasonable efforts to secure the services of translator or interpreter at the meeting.

Lipscomb County Appraisal District maintains wheelchair accessibility to the boardroom. A person who needs additional assistance for entry or access should notify the chief appraiser.

BOD-002.03 Resolving Complaints

The Board will consider written complaints about the policies and procedures of Lipscomb County Appraisal District, Lipscomb County ARB and the Lipscomb CAD Board of Directors concerning matters within the matters within the board's jurisdiction.

Complaints against the appraisal district, its operations or the ARB may be filed with the Chief Appraiser in accordance to complaint filing procedures, which are listed on the districts website www.isouthwestdata.com.

The board will not consider complaints addressing any of the grounds for challenge, protest or motion for correction of appraisal roll that are specified in Sections 41.03, 41.41, and Section 25.25 respectively.

The board of directors has no authority to overrule an agreement between the chief appraiser and a property owner on a matter specified in Section 1.111(e) or a determination of the Lipscomb County Appraisal Review Board on a challenge, protest or motion for correction made under authority of Section 41.047, 41.47 and Section 25.25, respectively.

Written complaints addressed to the Lipscomb BOD are forwarded to the chief appraiser. The agenda for the next scheduled meeting shall include an agenda item for report by the chief appraiser. At each such meeting, the chief appraiser shall report to the board of directors on the nature and the status of resolution of all complaints filed.

Board deliberations concerning must comply with the applicable provisions of the Texas Open Meetings Act. Until final disposition of each complaint, the board shall notify parties to the complaint at least quarterly of the status

BOD-002.04 Authority of the Board

The board of directors establishes general policies in conformity with the requirements of state law. The board may exercise its authority only by majority vote with a quorum present in a properly posted meeting. An individual member may not bind the board statement or action.

The board may establish committees as needed to carry out its responsibilities. The chairman appoints committee members to serve until successors are appointed or until the committee is disbanded. A committee acts only as an adjunct to the board and may not take any action, which in any way usurps the power or responsibilities of the board.

BOD-003 STATURORY RESONSIBILITIES OF THE BOARD

BOD-003.01 Establishment of an Appraisal Office

The office of Lipscomb County Appraisal District is located at 101 Broadway in Darrrouzett, Texas. The district's normal business hours are from 8:00 to 4:30 p.m., Monday thru Friday.

BOD-003.02 Appointment of Chief Appraiser

The board appoints the chief appraiser, who serves at the pleasure of the board and is directly accountable to the board. The chief appraiser manages and directs the operations of the CAD. The board does not participate in the appraisal function itself. However, on occasion, the board may be compelled to directly take up issues related to CAD personnel if those issues relate to alleged violations of Civil Rights or threatened litigation.

The chief appraiser is an officer of the appraisal district for the purpose of nepotism law, Chapter 573, Government Code. The district may not employ or contract with the chief appraiser's spouse, parent or stepparent, child or the spouse of any of these. Section 6.05(g) Texas Property Tax Code.

In the event a vacancy occurs in the office of the chief appraiser, the board will meet to designate an interim chief appraiser until a replacement can be found. The board shall take appropriate action to solicit qualified applicants. Applicant solicitations are to be posted in local newspapers and with Texas Association of Appraisal Districts (TAAD). Applications will be received and applicants interviewed by the board. The board will discuss applicants in closed session and announce the selected candidate in open session.

Minimum qualifications for the position of chief appraiser are as follows:

- Must hold one of the following professional designations:
 - ✓ RPA (Registered Professional Appraiser) from TDLR;
 - ✓ MAI from the Appraisal Institute;
 - ✓ AAS (Assessment Administration Specialist) from IAAO;
 - ✓ CAE (Certified Assessment Evaluator) from IAAO; or
 - ✓ RES (Residential Evaluation Specialist) from IAAO.

- If holds a professional designation other than an RPA, must become certified with TDLR as an RPA within five years.
- Degree from an accredited college or university. The board may waive degree requirements commensurate with qualified appraisal or administrative training and/or experience.
- Not owe delinquent property tax unless the person is paying delinquent taxes under an installment payment agreement or has deferred or abated a suit to collect delinquent taxes.
- Demonstrate ability to effectively communicate with the general public in a manner that reflects positively on public service and the management of the appraisal district.
- Demonstrate high degree of initiative, integrity and accuracy.

BOD-003.03 Evaluation of Chief Appraiser

The board of directors will perform a yearly evaluation of the chief appraiser. The board will meet in executive session to perform the evaluation. The chief appraiser shall maintain a copy of the evaluation in a personnel file.

BOD-003.04 Approval of Budget

Before June 15 of each year, the chief appraiser prepares a preliminary budget and delivers copies to each board member and each participating taxing unit with a request for their comments and recommendations.

The board shall consider and adopt the annual budget before September 15 of each year, after giving notice to the public and taxing units and conducting a public hearing as required by law.

Once the board adopts a budget, expenditures in excess of the total budget require budget amendment in the manner provided by Section 6.06 of the Texas Tax Code. Fund transfers that do not increase the total amount of the budget are not considered budget amendments. The board approves all transfers of unencumbered balances between accounts. In the event that a budget amendment becomes necessary, a copy of the proposed amendment will be delivered to the presiding officer of each taxing unit participating in the district not later than the 30th day before the date the board acts on it.

BOD-003.05 Year End Unspent Funds

By resolution the Lipscomb County Board of Directors voted to keep \$100,000.00 for the purpose of building a contingency fund. Once that threshold is reached, the appraisal district will refund all the excess budgeted funds to the taxing entities.

BOD-003.06 Designation of Depository

The board solicits bids for the district depository contract at least once every two years. In choosing a depository, the board selects the institution that offers the most favorable terms and conditions for the handling of district funds. Funds must be secured in the manner provided by law for county funds. Funds must be secured in the manner provided by law for county funds. The board and the depository contract may extend for one additional two-year period. (Section 6.02, Property Tax Code)

BOD-003.07 Competitive Bidding Requirements

The district is subject to the same requirements and has the same purchasing and contracting authority as a municipality under Chapter 252, Local Government Code. The district cannot make a contract of \$50,000 or more unless it follows one of the methods specified in the code.

BOD-003.08 Accounting Procedures

All CAD checks will be cosigned by two individuals. The designated cosigners are authorized to sign checks without the prior board approval in order to preserve a discount for early payment of and to avoid penalty for late payment. The board is considered to have given approval on all payroll related disbursements and for education and conference expenses with the accepted and approved annual budget.

Details of all CAD checks and deposited monies will be provided to board members at each regular meeting. Financial reports which include a report of the total budgeted amount for each budget category, the accrued actual expenses by budgeted category and the remaining unspent balance for each budget category will be provided to the board.

BOD-003.09 Financial Audit

The board shall contract for an annual audit by an independent certified public accountant. A copy of the audit report shall be delivered to the presiding officer of all taxing entities participating in the district.

BOD-003.10 Disposal of District Property

If an item is found to be of no use to the district, the chief appraiser shall determine whether the item has salvage value. "Salvage value" shall be determined as value which exceeds \$50.00. Items which have no salvage value will be disposed of in whatever manner is deemed to be the most expedient and efficient for the district. Items which have salvage value will be offered held for bid.

BOD-003.11 Appraisal Contracts

The chief appraiser, with the approval of the board, may contract with private appraisal firms to perform appraisal services for the district. (Section 25.01 (b) (c), Property Tax Code

It shall be the policy of the board to review contracts as they are presented by the contractors. The chief appraiser, if possible, shall present contracts to the board members a reasonable time in advance of the meeting so that the members can read over the contracts before the meeting. An agenda item shall provide that the contract will be considered and approved. If a contract is not approved, the contract may be considered again at the option of the board, and may be acted upon at the next scheduled meeting.

BOD-003.12 Periodic Reappraisal

The Lipscomb County Appraisal District performs a comprehensive reappraisal within the district on a three-year basis which follows the board of directors' Biennial Reappraisal Plan.

BOD-003.13 Conflicts of Disclosure

Each member of the board of directors shall disclose any conflicts pursuant to the requirements of TEX.LOC.GOV'T CODE 176.003 if such is appropriate. A member of the board shall file such an affidavit if the board of directors is considering a contract with a person with whom that member has an employment or other business relationship or a family member of the board member has such a relationship resulting in taxable income of \$2,500.00 or more during the previous twelve-month period. The board member shall also file such a disclosure if the person or entity seeking a contract with the district has given one or more gifts to that board member or family member of the board member aggregating more than \$2,500.00 in the preceding twelve-month period. Such disclosure shall be filed with the secretary of the board not later than the second business day on which the member becomes

aware of the potential conflict. The Disclosure Statement shall comply with the provisions of TEC.LOC.GOV'T CODE 176.004.

The requirements of this section also apply to the chief appraiser.

The names of the board of director's members shall be posted on the district website. Furthermore, all Disclosure Statements shall be made on the district's website.

BOD-003.14 Records Management

The board of directors appoints the Chief Appraiser to be the records management officer of the Appraisal

District and instructs that the District shall operate and maintain its records in compliance with Schedules GR and TX as adopted by the board of directors.

BOD-003.15 Public Information

The Appraisal District shall maintain its records and make them available to the public in compliance with the Texas Public Information Act, TEX GOV'T CODE Chapter 552. The chief appraiser, or his designee, shall be the Public Information Officer of the Appraisal District.

BOD-003.16 Drug and Alcohol Free Workplace

The CAD board acknowledges that the Lipscomb County Appraisal District has an Alcohol and Drug Free Workplace Policy.

BOD-003.17 Employee grievances

Federal law mandates that certain types of employee complaints may receive particular, direct attention from the governing body. In this connection, employee grievances related to sexual harassment or discrimination on the basis of race, religion, color, sex, national origin, age or disability may at the employee's option be submitted directly to the board.

BOD-003.18 Appointment of Agricultural Advisory Board

The chief appraiser, with the advice and consent of the board, appoints the Agricultural Advisory Board. The advisory board's function is to advise the chief appraiser on major issues dealing with agricultural appraisal, such as; net to land, degree of intensity standards and other agricultural use and appraisal issues. The board has no decision making authority or responsibility.

The advisory board must consist of at least three members. The members must be owners of qualified agricultural or timber land and must have resided in the district for at least five years. Members are not compensated for services.

The board shall meet at the call of the chief appraiser at least once a year. This board does not fall under the constraints of the Open Meetings Act and is not required to post agendas or keep formal minutes.

BOD-003.19 Appointment of Appraisal Review Board

The ARB shall consist of three members that serve two-year terms. A person may not serve more than all or part of three consecutive terms. Ex-members must sit out at least one ARB term to be eligible to be reappointed to the board.

The board of directors appoints members by a majority vote. ARB Chairman and Secretary are appointed by the County Judge. In the event of a vacancy the board fills it in the same manner.

The primary responsibilities of the ARB are as follows:

1. determine protests initiated by property owners;
2. determine challenges initiated by taxing units;
3. correct clerical errors appraisal records and appraisal rolls;
4. act on motions to correct appraisal rolls under Section 25.25 Property Tax Code;
5. determine whether an exemption or special valuation is improperly granted or denies;
6. take action or make other determination that is specifically authorized or required by the tax code.

The ARB shall adopt rules of procedure. The ARB is required to follow the model hearing procedures developed by the Comptroller's office when developing procedures.

The chief appraiser may delegate appraisal district staff to provide clerical assistance to the ARB.

A person must reside in the appraisal district for at least two years before taking office. A person is ineligible to serve on the ARB if the person:

1. is related with the second degree by blood or marriage, as determined under Chapter 573, government Code, to an individual engages in the business of appraising property for compensation for use in proceedings or of representing property owners for compensation in proceedings in the appraisal district for which the ARB is established;
2. owns property on which delinquent taxes are owed for more than sixty days after the date the person knew or should have known of the delinquency. These restrictions do not apply if the person is paying the delinquent taxes under an installment agreement or has deferred taxes;
3. or a business in which the person has a substantial interest is a party to a contract with the appraisal district or with a taxing unit that participates in the appraisal district;
4. is a current appraisal board director;
5. is a current employee of the district;

ARB members are not allowed to participate in hearings until they complete the Comptroller's training course. A new board member appointed after a course offering may continue to serve until the completion of a subsequent course offering. Yearly returning board members must complete the Comptroller's continuing education training course. Completion certificates issued by the PTAD will be filed with the chief appraiser. The board of directors pay for the members training expenses as provided for in the operation budget.

Except as provided for during a hearing or other ARB proceeding, a member of the board of directors, the chief appraiser or appraisal staff may not communicate with an ARB member about the training courses or any matter presented or discussed during the training courses.

BOD-004 OTHER BOARD DUTIES

BOD-004.01 General Operational Policies

The board of directors will require the development and adoption of district policies for the sound operation and financial management of district funds.

BOD-004.02 Reports from Chief Appraiser

The board of directors will require and evaluate reports from the chief appraiser concerning operations and financial status of the district.

BOD-004.03 District Legal Council

The board will select and approve the litigation firm or firms who will represent the district in legal matters.

BOD-004.04 Authority to Settle Lawsuits

The Chief Appraiser is authorized to approve settlements of lawsuits brought under Chapter 42 of the Texas Property Tax Code.

BOD-004.05 Policies of the Appraisal District

The board of directors considers and acts on policies for the Lipscomb County Appraisal District.

BOD-004.06 Other Duties

Performs other duties as required to govern the district permitted by law.

BOD-0004.07 Indemnification of Employees

In the event that the Texas Department of Licensing and Regulation (TDLR) imposes an administrative penalty on a person who is employed by the appraisal district, resulting from an act or omission by the person in the course and scope of the person's employment with the appraisal district, the appraisal district shall indemnify the person for the amount of the administrative penalty and the costs of challenging the imposition of the administrative penalty. Notwithstanding the prior sentence, the appraisal district is not required to indemnify a person upon whom an administrative penalty is imposed if the penalty was imposed because the person acted with gross negligence or in bad faith or with conscious indifference or reckless disregard for TDLR rules or regulation or for the appraisal district's rules or policies. The actual amount of the indemnification provided by the appraisal district shall not exceed \$10,000 for each occurrence.

BOD-0004.08 Ex Parte Communication

A board member shall not communicate directly or indirectly with the chief appraiser on any matter relating to the appraisal of property by the CAD unless:

1. it is in open meeting of the board or another public forum
2. or it is in a closed meeting of the board to consult with its attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between board and its attorney.

BOD-0004.09 Interpreters

The board will provide an interpreter at a board meeting upon the request of a person does not speak English or who must communicate by sign language. The request must be made in writing to the district in writing in advance of the meeting.

A person who need additional assistance for entry or access should notify the district in writing in advance of the meeting. If notice is not given in advance the district will attempt to make the appropriate accommodations.