

STATE OF TEXAS

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COUNTY OF GONZALES

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**RESOLUTION NO. 215**

**GONZALES COUNTY APPRAISAL DISTRICT**

**Resolution Adopting Rules**

BE IT RESOLVED by the Gonzales County Appraisal District Board of Directors that the following rules of procedure be revised:

**RULES OF THE BOARD OF DIRECTORS OF THE  
GONZALES COUNTY APPRAISAL DISTRICT**

ARTICLE I

MEETINGS AND HEARINGS OF THE BOARD OF DIRECTORS

1.1 *Place*

Meetings of the Board of Directors (“Board”), regular or special, must be held within the boundaries of the Gonzales County Appraisal District (“District”) at a public place capable of accommodating the expected public attendance. The place of the meetings shall be set by the Board Chairman, unless set by a vote of the members of the Board.

1.2 *Regular meetings*

The Board shall meet on the third Thursday of each month at 6 p.m. at the District offices. However, the meeting date, time, and place may be changed by Board vote pursuant to a duly placed agenda item at the meeting immediately preceding the meeting for which change of date, time, or place is sought.

1.3 *Special meetings*

Special meetings of the Board may be called by the Chairman of the Board as provided by Tax Code section 6.04(b). Special meetings shall be called by the Chairman or Secretary upon written request of two members of the Board.

1.4 *Quorum*

At all meetings of the Board four members of the Board shall constitute a quorum for the transaction of business. The act of a majority of the Directors present at any meeting at which

there is a quorum shall be the act of the Board.

#### **1.5 *Notice to directors***

Directors shall be notified at least three days in advance of special meetings of the Board.

#### **1.6 *Rules of order***

Meetings of the Board shall be conducted by Robert's Rules of Order, Newly Revised unless otherwise specified in these Rules.

#### **1.7 *Budget hearings***

Each year the Chief Appraiser shall prepare a budget in accordance with Tax Code section 6.06. The Board may meet before the dates prescribed by statute to estimate the amount of money required for the next fiscal year. The Board shall provide all information, deliver all notices, convene all meetings and public hearings, and perform all other functions relating to the annual budget as required by Tax Code section 6.06.

#### **1.8 *Reappraisal plan***

As required by Tax Code section 6.05 (i), the Board shall develop biennially a written plan for the periodic reappraisal of all property within the boundaries of the District according to the requirements of Tax Code section 25.18 and shall hold a public hearing to consider the proposed plan. Not later than the 10th day before the date of the hearing, the Secretary shall deliver to the presiding officer of the governing body of each taxing unit participating in the District a written notice of the date, time, and place for the hearing. Not later than September 15 of each even-numbered year, the Board shall complete its hearings, make any amendments, and by resolution finally approve the plan. Copies of the approved plan shall be distributed to the presiding officer of the governing body of each taxing unit participating in the District and to the Comptroller of Public Accounts within 60 days of the approval date.

## ARTICLE II

### OFFICERS

#### **2.1 *Election, term, and compensation***

The Board shall elect a Chairman and a Secretary at the first meeting of the Board each

calendar year as provided by Tax Code section 6.04(a). The Board may elect a Vice-Chairman. Each officer shall serve for one calendar year. As set forth in Tax Code section 6.01(c), Directors may not be compensated for service on the Board, but may receive reimbursement for actual and necessary expenses incurred in the performance of their duties as provided by the budget adopted by the Board.

### ***2.2 Chairman***

The Chairman shall preside over all meetings of the Board, as set forth in Tax Code section 6.04(b).

The Chairman may propose, second, or vote on any motion, and may participate in discussion on any motion, including the taking of a position on any motion. The Chairman shall have such other powers and duties as may from time to time be prescribed by the Board.

### ***2.3 Secretary***

The Secretary shall attend all meetings of the Board and record all of the proceedings in a minute book to be kept for that purpose. The minutes and recordings of each Board meeting, including recordings and certified agendas from executive sessions, shall be stored at the offices of the District, unless otherwise directed by the Board. The Secretary shall give notice of all meetings of the Board, including the agenda and any other information pertaining to each meeting, which shall be delivered to each Director on the Friday before the next regularly-scheduled meeting. The Secretary may obtain assistance from District staff in the discharge of duties under this section.

## ARTICLE III

### GENERAL PROVISIONS

#### ***3.1 Amendment***

These rules may be altered, amended, or repealed and new rules adopted by the Board at any meeting of the Board at which a quorum is present, provided notice of the proposed alteration is contained in the notice of the meeting.

### **3.2 Notice**

Any notice to a member of the Board must be in writing and delivered personally or mailed to the address designated by the member.

### **3.3 Notices required to be published**

The Gonzales Inquirer shall be the official newspaper for the purpose of publishing any legal notices required by law to be published in a newspaper of general circulation.

### **3.4 Payment of bills and obligations**

All bills or obligations, including payroll, operating expenses, and rental of real and personal property, shall be paid when due by the Chief Appraiser, provided that each bill or obligations paid by the Chief Appraiser is less than \$1000. Any check in the amount of \$1000 or over shall be cosigned as directed by the Board.

## ARTICLE IV

### INDEMNITY

#### **4.1 Indemnity**

The District shall, to the extent allowed by law, indemnify each director, appraisal review board member, agricultural advisory board member, or employee of the District from damages and attorney's fees awarded against such person where such damages arise from an act or omission of such person while in the course and scope of official duties for the District which may arise from a cause of action for negligence to the maximum statutory amount, PROVIDED, however, that the District shall not pay damages awarded against such a person to the extent that damages are recoverable under an insurance contract or a self-insurance plan authorized by contract in which the District is a beneficiary. The District shall provide legal counsel to represent each such person from whom the District may pay damages under Chapter 102 of the Civil Practice and Remedies Code to the extent that such legal representation is not provided under any contract of insurance or self insurance plan in which the District is beneficiary.

## ARTICLE V

### ACCESS TO THE BOARD BY MEMBERS OF THE PUBLIC

#### 5.1 *Public access policy*

Pursuant to Tax Code section 6.04(d) a reasonable period of time during each meeting of the appraisal district board of directors shall be provided for public comments on appraisal district and appraisal review board policies and procedures. The period of time shall be determined at the discretion of the chairman of the board of directors at each meeting.

Pursuant to Tax Code section 6.04(e), the following policies are adopted to provide public access to the board of directors for purposes of testimony at public meetings concerning appraisal district and appraisal review board policies and procedures, as well as any other matter over which the board of directors has responsibility:

Any non-English speaking person or any person who has any physical, mental or development disability desiring to appear before the Board must file a written request at least ten days prior to the next regularly scheduled meeting with the Chief Appraiser, who will schedule the person to participate in an item on the agenda or make a presentation during the time set aside for public comments. The request should indicate any special assistance or arrangement required to make the presentation to the board possible.

The chief appraiser shall appoint annually at least one bilingual person to serve as an interpreter. An interpreter shall attend any meeting of the Board in which a non-English speaking person is scheduled to speak on an item on the agenda or during the time set aside for public comments and shall be a paid per diem amount equal to that paid to members of the appraisal review board or the minimum amount which the District is required to pay in order to engage such person.

The Chief Appraiser shall coordinate with the Texas Department of Assistive and Rehabilitative Services or any other appropriate agency in obtaining the services of an interpreter through or with the assistance of such agency to attend any meeting of the Board in which a hearing-impaired person is scheduled to participate in an item on the agenda or make a presentation during the time set aside for public comments.

The Chief Appraiser shall coordinate with any appropriate agency to provide proper arrangements for public forums, to include the correct placement of microphones, sufficient area for wheel chairs and other mobility aides, and any other matter which would assist in improved access to the Board in a public hearing.

Meetings of the Board for which written notice has been given from persons requiring barrier free access shall be conducted in public buildings complying with applicable standards. If no barrier-free public buildings are available in the district, the chief appraiser shall make

arrangements for temporary wheelchair ramps to be available, as well as other physical aids for persons with disabilities.

### ***5.2 Complaint policy***

If any member of the public wishes to file a complaint with the Board of Directors concerning the operations of the Appraisal office or any other function over which the board has responsibility, he or she may do so. Written correspondence to the chairman of the Board outlining the complaint should be delivered to the Chief Appraiser of the District at the Appraisal District office. The Chief Appraiser will transmit copies of all such correspondence to members of the Board of Directors. The issues raised in such complaints or commentary will be discussed by the Board at the next scheduled public meeting and public testimony will be invited. Pursuant to Tax Code section 6.04(g), the Board of Directors shall notify the parties to the complaint concerning its status on a quarterly basis until final disposition of the matter, unless notice would jeopardize any undercover investigation.

## ARTICLE VI

### PROHIBITED COMMUNICATION

#### ***6.1 Prohibited communication***

As provided by Tax Code section 6.15, a Director commits an offense if the Director directly or indirectly communicates with the Chief Appraiser on any matter relating to the appraisal of property by the District, except in: (1) an open meeting of the Board or another public forum; or (2) a closed meeting of the Board held to consult with the Board's attorney about pending litigation, at which the Chief Appraiser's presence is necessary for full communication between the board and the board's attorney.

The Chief Appraiser commits an offense if the Chief Appraiser directly or indirectly communicates with a Director on any matter relating to the appraisal of property by the District, except in: (1) an open meeting of the Board or another public forum; or (2) a closed meeting of the Board held

to consult with the Board's attorney about pending litigation, at which the Chief Appraiser's presence is necessary for full communication between the board and the board's attorney.

This section does not apply to a routine communication between the Chief Appraiser and the County Assessor-Collector that relates to the administration of an appraisal roll, including a communication made in connection with the certification, correction, or collection of an account, regardless of whether the County Assessor-Collector was appointed to the Board or serves as a nonvoting Director.

As provided by Tax Code section 6.15, an offense under that section is a Class C misdemeanor.


## ARTICLE VII

### ADHERENCE TO ALL LAWS RELATING TO PROHIBITIONS AGAINST NEPOTISM AND INTERESTS IN CONTRACTS AFFECTING THE DISTRICT OR TAXING UNITS PARTICIPATING IN THE DISTRICT

#### *7.1 Adherence to applicable laws*

Each Director shall follow all applicable Tax Code, Texas Government Code, and Texas Local Government Code sections relating to prohibitions against nepotism and prohibitions against interest in certain contracts with the District or with taxing units that participate in the District. Each Director shall disclose all business relationships as required by law and shall abstain from discussion and voting on any matter where such voting and discussion is prohibited.

ADOPTED this, the 20th day of March, 2008.

  
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Chairman, Board of Directors  
Gonzales County Appraisal District

ATTEST:

  
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Secretary, Board of Directors