

Young County Board of Directors Manual



2009

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YOUNG CAD
BOARD OF DIRECTORS
BOARD MEMBERS

General Provisions

Number of Board Members

A Board of Directors comprised of five (5) members governs the Appraisal District.
Tax Code Sec. 6.03 (a)

Eligibility Requirements

To be to serve on the Board, an individual must be a resident of the District and must have resided in the District for at least two years immediately preceding the date of taking office. An employee of a taxing unit that participates in the District may not serve on the Board; however, an elected official or member of the governing body of a participating taxing unit may serve.
Tax Code Sec. 6.03 (a)

Appointment Procedures

Members of the Board of Directors are appointed by vote of the governing bodies of the cities, school districts, county, and conservation and reclamation districts in the District. Any other districts are not entitled to vote. In the election process, the conservation and reclamation districts are counted as one entity.
Tax Code Sec. 6.03 (c)

Election Process - Generally

Election Duties Assigned

The duties as outlined in this section as they apply to the election of the Board of Directors are the responsibility of the Chief Appraiser but are delegated to the Deputy Chief Appraiser/Operations

Election Year Defined

Since the Board of Director members serve two-year, un-staggered terms of office beginning January 1 of each even-numbered year, the election process shall take place in each odd-numbered year.

Voting Entitlement Calculations

The voting allocation for each taxing unit entitled to vote for the Board of Directors is determined in the following manner:

Divide the total dollar amount of property taxes imposed in the District by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the District for that year by all taxing units that are entitled to vote, multiply the quotient by 1,000, and round the product to the nearest whole number. That number is then multiplied by 5, which is the number of directorships to be filled and is the taxing unit's voting entitlement.

Tax Code Sec. 6.03 (d)

Written Notification of Voting Allocations

Before July 1 of each election year, the Chief Appraiser delivers written notification to each conservation and reclamation district of its voting entitlement and right to nominate a person to the Board of Directors.

Tax Code Sec. 6.03 (f)

Taxing Entities Submit Nominations

Each taxing entity that is entitled to vote on the Board of Directors under this provision may nominate one candidate for each position to be filled on the Board. The vote must be recorded in the form of a resolution adopted by the governing body and submitted to the Chief Appraiser before October 15 of each election year.

Tax Code Sec. 6.03 (g)

Election Process –All Entities Entitled to Vote

Ballot Prepared

Before October 30 of each election year, the Directors of Operations prepares a ballot listing the candidates of all entities entitled to vote alphabetically, and the Chief Appraiser must submit a copy of the ballot to the presiding officer of the governing body of all taxing entities entitled to vote.

Tax Code Sec. 6.03 (j)

Taxing Entities Cast Votes

The governing body of each taxing entity entitled to vote must determine its vote by resolution and submits it to the Chief Appraiser before December 15 of each election year.

Tax Code Sec. 6.03 (k)

A governing body may cast all of its votes for one candidate or distribute its votes among candidates.

Tax Code Sec. 6.03 (c)

For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received the entire votes cast by these district.

Tax Code Sec. 6.03 (k)

Voting Results Announced

The Chief Appraiser counts the votes, declares the five candidates who receive the largest cumulative vote totals elected, and submits the results before December 31 of each election year to the governing body of all taxing units in the District and to the candidates.

In the case of a tie, the Chief Appraiser will resolve the tie by any method of chance,

Tax Code Sec. 6.03 (k)

Board Members Sworn Into Office

Statement of Sworn Officer

The Board Members must sign a notarized Statement of Officer Form prior to taking office. This procedure is required even if the member has been reappointed to the Board.

The Board Members subscribe to the Statement of Sworn Officer prior to the beginning of the meeting at which they take the Oath of Office.

The Statement of Officer forms are maintained in the Administration files.

Oath of Office Administered

At the first meeting of the newly elected Board of Directors, the members are administered the Oath of Office Form. The Oath must be taken and signed before a Notary Public.

The Oath of Office forms are maintained in the Administration files.

Board Officers

Officers Named

The officers of the Board of Directors are the Chairperson and Secretary.

Term of Office

The officers serve a two-year term of office from January 1 through December 31.

Election of Officers

Officers are elected by majority vote of the Board at its first meeting of the year. Election of officers must be placed as an action item on the meeting agenda.

Vacancy Procedures

Tax Code Sec. 6.03(1)

Vacancy Declared

Should a vacancy occur on the Board, the Board may declare the position vacant at a meeting for which declaring a vacancy on the Board has been listed as an agenda item.

Taxing Entities Notified of Vacancy

Once the Board has declared a position vacant, the taxing entities are notified in writing that a vacancy exists and are informed of the procedures for submitting a nomination.

A notification letter is prepared from the Secretary of the Board and provides for an acknowledgment of receipt by each taxing entity.

Taxing Entities Submit Nominations

Each taxing entity that is entitled to vote on the Board may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The taxing entity shall submit the name of its nominee to the Chief Appraiser within 45 days after notification from the Board of Directors of the existence of the vacancy.

List of Nominees Submitted to Board

The Chief Appraiser prepares and delivers to the Board of Directors a list of the nominees within 5 days of the deadline for receiving nominees from the taxing entities,

Election Held

At a meeting of the Board that lists the election of the Board member as an action item, the Board will elect by majority vote one of the nominees to fill the vacancy.

BOARD MEETINGS

General Provisions

Duties Assigned

The duties as outlined in this section as they apply to preparing and posting the agenda are the responsibility of the Chief Appraiser, under the direction of the Chairperson of the Board, and are delegated to the Deputy Chief Appraiser/Operations.

Regular Board Meetings

Agenda Prepared

Two agendas are prepared for each meeting of the Board. One agenda is posted at the County Clerk's office and the other is posted to the front door of the District office. The agendas are same in content, with the only difference being the acknowledgment of posting as discussed below.

Agenda Contents

The agenda contains the following information:

1. Statement that the agenda was posted in accordance with the Open Meetings Act
2. Date, time, and place of meeting
3. Type of meeting: regular, special, workshop, or executive
4. Roll call
5. Consent Agenda Items
 - a. Minutes
6. Action Items
7. Workshop sessions or executive sessions as needed
8. Information items
9. Public comments
10. Adjournment
11. Acknowledgment from County Clerk or Director of Operations that agenda was posted and the date and time of posting

Open Meetings Provisions

The agenda must be posted in accordance with Section 5511.000 ET. of the Texas Government Code, providing at least 72 hours notice prior to the scheduled time of the meeting.

Agenda Posted

To post the agenda with the County Clerk, an original and two copies of the agenda are given to an appraisal district employee who hand delivers them to the County Clerk. The County Clerk retains the two copies of the agenda and date-stamps the original, which is returned by the employee to the Deputy Chief Appraiser/Operations for filing.

To post the agenda to the front door of the Appraisal District office, an agenda with an acknowledgment by the Deputy Chief Appraiser/Operations as to the date and time the agenda was posted is prepared, with a copy being posted to the front door and the original retained for the files.

Board Packet Prepared

On the Thursday before each Board meeting or on any other day providing at least 72-hour notification, a packet containing the information for the Board meeting is mailed to each Board member.

The packet contains the following information:

- 1 Copy of agenda
2. Copy of minutes to be approved
3. Copy of materials to be reviewed and/or approved at the meeting

Emergency Meetings

Emergency Defined

An emergency meeting may only be held to address an item that is a threat to the public health and safety of citizens in the District or to address a situation not anticipated by the Board that demands theft immediate action.

Agenda Prepared

As provided by the Open Meetings Act, the agenda for an emergency meeting must be posted at least two hours prior to the meeting.

Agenda Requirements

All other procedures pertaining to preparing and posting the agenda as outlined for regular board meetings are followed for emergency meetings.

Special Notification Provisions

Due to the time restrictions involved in an emergency meeting, the news media is notified of the meeting by telephone. The taxing entities are only notified of the meeting if the action to be taken by the Board would affect them detrimentally.

Executive Sessions

Executive Sessions Defined

The Board may only meet in executive, or closed, meetings for the following reasons:

1. To consult with the District's legal counsel concerning pending or contemplated litigation
2. To discuss leasing or acquiring real property
3. To discuss personnel matters

Agenda Requirements

The Board may hold an executive session as a separate meeting expressly held for that purpose or in conjunction with a regular meeting of the Board. If an executive session is being held in conjunction with a regular meeting, the executive session must be placed on the agenda, stating its purpose.

If a meeting is being held expressly for an executive session, the agenda is prepared and posted in the same manner as a regular meeting.

Certified Agenda Required

The Board must complete a certified agenda for every executive session. The agenda must contain the following information:

1. Date and time Board entered into executive session
2. Subject of discussion
3. Any action taken by the Board
4. Date and time Board adjourned executive session

Action Taken

If the matter discussed by the Board in executive session requires action, the action must be listed as an action item on the agenda, and the Board must taken action in open session.

Workshop Sessions

Workshop Defined

A workshop session is held by the Board to discuss in depth any matter requiring the Board's attention. Action may or may not result from a workshop session.

If action is required, an action item must be placed on the agenda.

Agenda Requirements

The Board may hold a workshop session as a separate meeting expressly held for that purpose or

in conjunction with the regular monthly meeting. If the workshop session is being held in conjunction with the regular meeting, the workshop session must be placed on the agenda, stating its purpose.

If a meeting is called expressly for the purpose of holding a workshop session, the agenda is prepared and posted in the same manner as a regular meeting.

BOARD MINUTES

General Provisions

Duties Assigned

The Administrative Assistant is responsible for taking, preparing, and maintaining the minutes of the meetings of the Board under the direction of the Chief Appraiser and Secretary of the Board.

Contents of Minutes

The minutes must contain the following information:

1. Date, time, and place meeting held
2. Type of meeting: regular, special, workshop, emergency, or executive
3. Statement that the agenda was posted in accordance with the Open Meetings Act
4. Short summary of each topic considered by the Board, including any pertinent comments or points made
5. All motions for action, including the member making the motion, the member seconding the motion, and the vote of each member indicating whether the motion passed or failed
6. Time meeting adjourned

Minutes Approved

The Board at a subsequent meeting for which approval of the minutes has been listed as an agenda item must approve the minutes of the meetings.

The Chairperson and Secretary of the Board sign all approved minutes.

Minute Book Maintained

The originals of all minutes are retained in a permanent minute book.

Minute Files

A file folder is also maintained for each meeting of the Board that includes copies of the following information:

- I. Agenda

2. Minutes
3. Any items presented to the Board
4. Resolutions passed
5. Notes of meeting

CONFLICT OF INTEREST

Conflict of Interest Defined

Article 988b, VTCS, requires a Board member to abstain from participating in or voting on any matter in which a substantial interest is held.

Substantial interest is defined as:

1. Ownership of 10 percent or more of the voting stock or shares of the business entity or ownership of \$5,000 or more of the fair market value of the business entity,
2. Funds received by the person from the business entity exceed 10 percent of the Board member's gross income for the previous years,
3. Ownership of \$2,500 or more of the fair market value of real property if the interest is an equitable or legal ownership, or
4. A person related in the first degree by either affinity or consanguinity to the Board member has a substantial interest as outlined above.

Affidavit Required

If a Board member has a substantial interest in any matter presented to the Board, he must file an Affidavit of Conflict of Interest Form prior to the Board meeting.

All affidavits are maintained in the Administration files.

YOUNG CAD BOARD OF DIRECTORS POLICIES

Role Description of Directors

In general, the Board of Directors shall perform the following general functions in connection with the operations of the appraisal program.

1. Act as an overall planning agency in the definition, modification and clarification of goals and purposes for the total appraisal district .
2. Act as monitor of the development of a system composed of people, programs, finances and other elements to work toward the achievement of goals.
3. Serve as a legislative policy making body to develop plans and programs to achieve established goals and objectives.
4. Act as a judicial body to appraisal district program effectiveness.
5. Participate in planning and working to secure and maintain public understanding, confidence and support of the district programs.
6. Serve as an agency of the state to perform all ministerial duties and legal act as required by the code and statutes.
7. Select a Chief Appraiser; clearly define the duties and responsibilities of the position and support the Chief Appraiser in the proper discharge of these functions.
8. Participate in the development of the continuous review of a comprehensive role description of the Board of Directors and a job definition of the Chief Appraiser.
9. Formulate, with the assistance of the Chief Appraiser, a system for planning for continuous development, evaluation and improvement of all phases of the district program.
10. Develop a written plan of operation consistent with the best current administrative practices and adhere to it at all times in the general oversight of the district operation.
11. Confine its time and energies primarily to general policy making, delegating, administrative and management responsibilities to the Chief Appraiser and professional staff.

12. Keep or cause to be kept, complete, accurate and legal minutes of all meetings of the Board of Directors.

13. Adopt an annual budget for the operation of the appraisal program upon the recommendation of the Chief Appraiser.

14. Approve each year the annual budget allocations within the legal limitations and select the appraisal district depository in accordance with statutory provisions.

15. Approve procedures, upon the recommendation of the Chief Appraiser, for the conduct of the annual fiscal audit or the district's operations.

16. Require and evaluate periodic reports by the Chief Appraiser concerning the status, condition and progress of all areas and facets of the district program operation.