

Midland County Utility District
Regular Meeting Minutes
November 15, 2022

The Board of Directors of the Midland County Utility District met in a regular meeting on November 15, 2022, at 2405 W. Missouri Avenue, Midland, Texas 79701. The meeting was held pursuant to notice given to the public in accordance with the laws of the state of Texas. The meeting was open to the public.

Item 1. Call to Order. Dr. Viney called the meeting to order and made the following statement. It is 5:34 p.m. on November 15, 2022, and I am calling to order the regular meeting of the Midland County Utility District.

Board members present were:

Dr. Shelton Viney
Joe Patten
Alan Lang
Jackie Schneider
Israel Rodriguez

Also present at the meeting were:

Jay Edwards District General Manager
Shane Darley Parkhill Smith & Cooper

Also present at the meeting via Zoom were:

John Carlton Counsel for Midland County Utility District
Bill Bain District Bookkeeper

Item 2. Establish a Quorum. Dr. Viney announced that a quorum was present.

Item 3. Review Public Comments. No members of the public were present to address the Board.

Item 4. Discuss and consider taking action on minutes from the October 20, 2022, Regular Meeting. Dr. Viney called Item 4 on the agenda. Mr. Lang made a motion to approve the minutes of the October 20, 2022, regular meeting. The motion was seconded by Mr. Patten and approved by a vote of 5-0.

Item 5. Receive financial report from District's Bookkeeper and consider: (a) approval of payment of bills and invoices; and (b) approval of financial report. Mr. Bain presented the financial report and expenditures. Mr. Bain mentioned that the District's auditor needs an additional invoice from Parkhill Smith and Cooper to close out Fiscal Year 2022. Mr. Bain stated the financials are in good shape.

(a) **Approval of payment of bills and invoices:** Mr. Rodriguez moved to pay the bills and invoices as presented in the financial report. Mr. Schneider seconded the motion, and the motion passed 5-0.

(b) **Approval of financial report:** Mr. Lang made a motion to approve the financial report. Mr. Schneider seconded the motion, and the motion passed 5-0.

Item 6. Receive report from the District's General Manager and consider taking action regarding proposed plan to finance District improvements and plan for implementation as well as financial matters, utility planning and service issues, water supply evaluation and management. Mr. Edwards presented his report to the Board. Mr. Edwards reviewed phases 1-3 of the wellfield schematics for the Spinks property and discussed the water supply of from various aquifers. Mr. Edwards further discussed the phase 1 cost estimate and the project's funding processes.

Mr. Edwards also presented the District's proposed letter of intent to the County, to provide service for a future jail facility.

Item 7. Discuss and consider acquisition of property for District facilities. The item was not addressed.

Item 8. Discuss and consider agreement for water supply. The item was not addressed.

Item 9. Receive Park Water development updates. Mr. Edwards updated the Board on the Park Water development. Mr. Edwards said no payments have been made yet, but Park Water has provided written documentation that they intend to pay approximately \$225,000 in refinancing at closing of their refinancing. Mr. Bain asked about the effect of the refinancing payment on the District's need to accrue on the financial statements and Mr. Edwards responded that the payment should be accrued in FY2022. Mr. Bain stated that he would forward that information to the auditor.

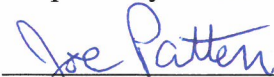
Item 10. Receive report from District's attorney and consider taking action regarding contracts, legislative issues, regulatory issues and matters relating to future elections. Mr. Carlton presented his report to the Board. No action was taken.

Item 11. Discuss, consider, and authorize the District's General Counsel to file the 2023 Eminent Domain Report with the Texas Comptroller. After a brief discussion, Mr. Patten moved to authorize filing of the Eminent Domain Report. Mr. Lang seconded the motion, and the motion passed 5-0.

Item 12. Discuss time and date for next meeting. Next regular meeting to be held on December 13, 2022, at 5:30 p.m. at 2405 W. Missouri Avenue, Midland, Texas 79701.

Item 13. Adjourn. Mr. Schneider moved to adjourn the meeting, and Mr. Patten seconded. The motion passed 5-0, and the meeting was adjourned at 6:18 pm.

Respectfully submitted,



Joe Patten
Secretary