

**Midland County Utility District**

**Regular Meeting Minutes**

**August 11, 2022**

The Board of Directors of the Midland County Utility District met in a regular meeting on August 11, 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 5:30 p.m. on August 11, 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  
Israel Rodriguez  
Jackie Schneider

Also present at the meeting were:

Jay Edwards                      District General Manager  
Shane Darley

Also present at the meeting via Zoom were:

John Carlton                      Counsel for Midland County Utility District  
Jennifer Schein                      The Carlton Law Firm

**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 May 26, 2022 Regular Meeting.** Dr. Viney called Item 4 on the agenda. Mr. Lang made a motion to approve the minutes of the May 26, 2022 regular meeting. The motion was seconded by Mr. Patten and unanimously approved by a vote of 4-0.

**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. Edwards presented the financial report.

(a) **Approval of payment of bills and invoices:** Mr. Schneider moved to pay the bills and invoices as presented in the financial report. Mr. Patten seconded the motion, and of the motion passed 4-0.

(b) **Approval of financial report:** Mr. Patten made a motion to approve the financial report and the quarterly investment report. Mr. Lang seconded the motion, and the motion passed 4-0.

**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.** This item was tabled.

**Item 7. Discuss and consider acquisition of property for District facilities.** Dr. Viney stated that the Board would into executive session to discuss this acquisition of real property at 6:05p.m. The Board reconvened in open session at 6:46 pm. Dr. Viney stated that no action was taken.

**Item 8. Discuss and consider adoption of the tax and budget planning calendar for 2022 and take any related action.** Mr. Carlton discussed the tax planning calendar with the Board. Mr. Carlton told the Board that The Carlton Law Firm will send confirmation for the September 15<sup>th</sup> meeting to hold the public hearing on tax rates. Mr. Lang moved to approve the 2022 tax planning calendar, and Mr. Patten seconded the motion. The motion passed 4-0.

Dr. Viney noted that Director Rodriguez arrived at the meeting.

**Item 9. Discuss and consider supplemental agreement to the Master Agreement for Street Lighting with Oncor.** Mr. Carlton described the need to approve three supplemental agreements with Oncor for the Park Water developments. Mr. Bethke described the ongoing development. Mr. Schneider moved to approve the supplemental agreements with Oncor. Mr. Patten seconded the motion, and the motion passed 5-0.

**Item 10. Receive report from District's attorney and consider taking action regarding contracts, legislative issues, regulatory issues and matters relating to future elections.** This item was not addressed.

**Item 11. Discuss and consider FY2023 Budget and any budget meetings/workshops to be scheduled.** Mr. Edwards presented the FY2023 budget and provided a supplemental hand out for the FY2023 budget and the calculations provided by Midland County. Dr. Viney moved to approve the FY2023 budget, and Mr. Patten seconded the motion. The motion passed 5-0.

**Item 12. Discuss and consider taking action regarding 2022 tax rate, including:**

**A. Establishing proposed tax rate.** The Board held a discussion regarding a proposed tax rate of \$0.03 per \$100.

**B. Taking record vote and scheduling public hearing.** Mr. Schneider moved to establish a proposed tax rate of \$0.03 per \$100, and Mr. Patten

seconded the motion. Dr. Viney called for a roll call vote. Mr. Rodriguez voted aye, Dr. Viney voted aye, Mr. Land voted aye, Mr. Patten voted aye, and Mr. Schneider voted aye to set the proposed tax rate.

Mr. Lang moved to schedule the Public Hearing on September 15, 2022, at 5:30 p.m. at 2405 W. Missouri Avenue, Midland, Texas 79701. Mr. Schneider seconded the motion, and the motion passed 5-0.

**C. Authorizing publication of “Notice of Public Hearing on Tax Rate” in Midland Reporter-Telegram or other newspaper.** Mr. Lang moved to authorize publication of the Notice of Public Hearing on Tax Rate in the Midland Reporter-Telegram. Mr. Schneider seconded the motion, and the motion passed 5-0.

**D. Acknowledging and approving posting of “Notice of Public Hearing on Tax Rate” to home page of the District website.** Mr. Lang moved to authorize posting of the Notice of Public Hearing on the District’s website. Mr. Schneider seconded the motion, and the motion passed 5-0.

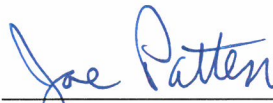
**Item 13. Discuss and consider engagement of an auditor to perform FY2022 audit.**

Mr. Edwards explained to the Board that he received information that the auditor at Weaver that was handling the audit for the District is no longer with Weaver. Mr. Edwards let the Board know he is investigating the situation and will need authorization to request proposal from other auditing firms. Mr. Lang moved to authorize Mr. Edwards to solicit proposals. Mr. Patten seconded the motion, and the motion passed 5-0.

**Item 14. Discuss time and date for next meeting.** Next regular meeting to be held on September 15, 2022, at 5:30 p.m. at 2405 W. Missouri Avenue, Midland, Texas 79701.

**Item 15. Adjourn.** Dr. Viney moved to adjourn, and Mr. Patten seconded. The motion passed unanimously, and the meeting was adjourned at 6:46 pm.

Respectfully submitted,



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Joe Patten  
Secretary