

Midland County Utility District
Regular Meeting Minutes
February 11, 2021

The Board of Directors of the Midland County Utility District met in a Regular Meeting on February 11, 2021 at the Education Building at the Midland Horseshoe located at 2514 Arena Trail, 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 5:35 p.m. on February 11, 2021 and I am calling to order the Regular Meeting of the Midland County Utility District. It is noted that in accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended certain provisions of the Texas Open Meetings Act which requires governmental officials to be present in person at meeting locations. This temporary suspension allows for Board Members to be present either by video conference or by telephone. The actions of the Governor also allows for members of the public to attend meetings by telephone or video conference.

Board members present were:

Dr. Shelton Viney
Alan Lang
Israel Rodriguez
Joe Patton (arrived at 5:45 p.m.)

Board members absent were:

Jackie Schneider

Also present at the meeting were:

Jay Edwards	Parkhill
Rusty Eads	Parkhill
Robert Rendall	Rendall Sikes PLLC
Bill Bain	Bookkeeper
Andrew Avis	Midland County
Commissioner Robin Donnelly	Midland County

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

Item 3. **Public Comment.** No members of the public were present to address the Board.

Item 4. Approval of Minutes. Dr. Viney called Item 4 on the Agenda. Mr. Lang made a motion to approve the Minutes of the September 10, 2020 meeting which was seconded by Mr. Rodriguez and unanimously approved by a vote of 3-0.

Item 5. Audit. Mr. Edwards advised the Board the Audit Committee had recommended to the Board the approval of the 2019-2020 Audit and Financial Statement. He introduced David Duree of Weaver & Tidwell PLLC who performed the audit. Mr. Duree advised the Board the District's finances are in good shape. Weaver is requiring the format of the audit be stated in a different manner from the prior auditor and has made recommendations in the current audit document to reflect the preferred format. The format should reflect a governmental fund financials rather than a governmental enterprise fund financials. Mr. Edward advised that management agrees with the Weaver recommendation and will be working with the District Financial advisors to adjust the District's books accordingly. Mr. Duree also advised it is advisable to have better financial control, but due to the current staff size and activity of the District, it is not cost effective to do so. It was acknowledged that as the staff of the District is increased, there will be a need to make arrangement for additional financial controls. After discussion a motion to accept the recommendation of the Audit Committee to accept the Audit and to authorize the General Manager to distribute the Audit as required by law was made by Mr. Land, seconded by Mr. Rodriguez and unanimously approved.

Item 6. Election of Officers. After discussion related to election of officers for the District's 2021 calendar year, Mr. Lang made a motion for approval of the follow slate of officers:

President	Dr. Shelton Viney
Vice President	Alan Lang
Secretary	Joseph Patten
Treasurer	Israel Rodriguez

The motion was seconded by Mr. Rodriguez and unanimously approved.

Item 7. Appointment of Investment Officer and Investment Committee. After discussion, Mr. Lang made a motion for the following persons to be members of the Investment Committee and Investment Officer:

Investment Committee: Bill Bain (Investment Officer)
Israel Rodriguez
Alan Lang
Jay Edwards

The motion was seconded by Mr. Rodriguez and unanimously approved.

Item 8. Appointment of Audit Committee. Mr. Lang made a motion for the following persons to be members of the Audit Committee:

Audit Committee:	Dr. Shelton Viney Bill Bain
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Jay Edwards

The motion was seconded by Mr. Rodriguez and unanimously approved.

Item 9. General Manager Report. Mr. Edwards provided the District's General Manager report.

Item 10. Financial Report. The Board received a report on the financial matters of the District from Mr. Bain.

(a) Mr. Patton made a motion to accept the report. The motion was seconded by Mr. Rodriguez. The motion was unanimously approved.

(b) Mr. Lang made a motion to motion to pay the outstanding bills and invoices, a list of which is attached hereto. Mr. Patton seconded the motion which was unanimously approved.

Item 11. Executive Session. The Board recessed into Executive Session at 7:04 p.m. No action was taken in Executive Session.

The Board resumed Regular Session at 7.56 p.m.

Item 12. Legal Counsel Report. Mr. Rendall reported to the Board, the legislative session; status of elections and the status of agreements with Park Water Company and the Vander Ranch HOA.

Item 13. Master Right of Way. The Board deferred this matter to the next meeting.

Item 14. Interlocal with Midland County regarding Vander Ranch Subdivision. The Board deferred this matter to the next meeting.

Item 15. Agreement Vander Ranch HOA. The Board deferred this matter to the next meeting.

Item 16. Interlocal Agreement with City of Midland, Midland County and Midland County Fresh Water Supply District NO. 1. After a briefing on the status of this matter, Mr. Rodriguez made a motion for Dr. Viney to finalize negotiations of the Interlocal Agreement and execute the Interlocal Agreement and each appropriate exhibit to the Interlocal Agreement. Mr. Patton seconded the motion and it was approved unanimously.

Item 17. Next Meeting. Dr. Viney announced the next Regular Meeting of the Board would take place on Thursday, April 15, 2021, subject to call of the President.

The meeting was adjourned at 7:09 p.m.

Respectfully submitted,

Joe Patton
Secretary

Midland County Utility District

Disbursements - Fiscal Year to date

Type	Date	Num	Name	Split	Amount
Check	10/02/20	1319	William R Bain	Bookkeeping Services	(1,500.00)
Check	10/05/20	1320	Rendall Sikes LLC	Legal	(6,480.00)
Check	10/07/20	1321	Parkhill Smith & Cooper	Management Fees	(1,580.50)
Check	10/07/20	1322	The Carlton Law Firm	Legal	(118.02)
Check	10/24/20	1323	Parkhill Smith & Cooper	Engineering	(26,583.25)
Check	10/24/20	1324	Midland Central Appraisal District	-SPLIT-	(1,419.04)
Check	11/03/20	1325	William R Bain	Bookkeeping Services	(1,500.00)
Check	11/09/20	1326	Rendall Sikes LLC	Legal	(6,480.00)
Check	11/23/20	1327	Parkhill Smith & Cooper	Engineering	(5,080.75)
Check	12/01/20	1328	William R Bain	Bookkeeping Services	(1,500.00)
Check	12/04/20	1329	Rendall Sikes LLC	Legal	(2,490.00)
Check	12/22/20	1330	Parkhill Smith & Cooper	Engineering	(465.96)
Check	12/29/20	1331	TML Intergovernmental Risk Pool	-SPLIT-	(820.72)
Check	01/04/21	1332	William R Bain	Bookkeeping Services	(1,500.00)
Check	01/15/21	1333	Rendall Sikes LLC	Legal	(1,532.37)