

**Midland County Utility District**  
**Regular Meeting Minutes**  
**November 15, 2023**

The Board of Directors of the Midland County Utility District met in a regular meeting on November 15, 2023 at 5310 E. County Road 60, Midland, Texas 79705. 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.** Mr. Lang called the meeting to order and made the following statements. It is 5:36 p.m. on November 15, 2023, and I am calling to order the regular meeting of the Midland County Utility District.

Board members present were:

Alan Lang  
Joe Patten  
Jackie Schneider  
Israel Rodriguez

Board member present after the start of the meeting:  
Dr. Shelton Viney

Also present at the meeting in person or via Zoom were:

Jennifer Schein	Counsel for Midland County Utility District
Jay Edwards	Parkhill Smith & Cooper
Bill Bain	Bookkeeper
Kevin Krueger	Parkhill Smith & Cooper
Ryan Kennerly	Parkhill Smith & Cooper

**Item 2. Establish a Quorum.** Mr. Lang announced that a quorum was present.

**Item 3. Review Public Comments.** There was no public comment during the agenda item.

**Item 4. Discuss and consider taking action on minutes from the October 19, 2023, regular meeting.** Mr. Lang called Item 4 on the agenda. Mr. Schneider made a motion to approve the minutes of the October 19, 2023, regular meeting as presented. The motion was seconded by Mr. Patten, and the motion passed 4-0.

Dr. Shelton Viney entered the meeting.

**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 investment report, financial report and expenditures. Mr. Bain reviewed the income and expenses with the Board.

**(a) Approval of payment of bills and invoices:** Mr. Bain presented the financial report and expenditures. Dr. Viney moved to approve payment of the bills and invoices,

financial report, and quarterly investment report. Mr. Rodriguez seconded the motion, and the motion passed 5-0.

- (b) **Approval of financial report:** The Board discussed the financial report and expenditures and approved it in the item above.

**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.** The Board received the General Manager's report from Jay Edwards and discussed the status of District projects. No action was taken.

**Item 7. Discuss and consider engineering services report from Parkhill, including:**

- (a) **Financial overview, job-to-date, for task orders (including progress report and updated schedule with anticipated expenditures);**

The Board discussed the projects and related budgets in the District, as presented by Ryan Kennerly.

- (b) **Amendment to Task Order #1 (Wellfield) for the full design amount required (including detailed cost breakdown for the well development portion of work); and**

The Board discussed the proposed amendment to Wellfield development budget, with the preliminary work projected to be completed by the first part of April 2024. The Board further discussed the project being managed under a Construction Manager at Risk agreement. Dr. Viney moved to approve the amendment to Task Order #1 (Wellfield). Mr. Rodriguez seconded the motion, and the motion passed 5-0.

- (c) **Draft Construction Manager at Risk Request for Qualification and advertisement.** Mr. Schneider moved to appoint Mr. Lang and Mr. Rodriguez to the selection committee for the Construction Manager at Risk agreement. Mr. Pattern seconded the motion, and the motion passed 5-0.

**Item 8. Discuss and consider action regarding strategic plan for providing water service within the District, including financing, design, construction, and rate issues.** No action was taken.

**Item 9. Discuss and consider action approving the Interlocal Agreement with the County of Midland for project funding.** The item was not addressed.

**Item 10. Receive Park Water development updates.** The Board discussed the Park Water development updates, as included in the agenda packet. No action was taken.

**Item 11. Discuss Park Water and Vander Ranch information received.** An audience member presented information concerning Park Water. The Board briefly discussed the Park Water potential TCEQ sewer system investigation. No action was taken.

**Item 12. Receive report from District's attorney and consider taking action regarding contracts, legislative issues, regulatory issues and matters relating to future elections.** No action.

**Item 13. Discuss and consider renewing Director' bonds and Treasurer's bond or insurance.** No action.

**Item 14. Discuss time and date for next meeting.** Next regular meeting will be held on January 18, 2024, at 5:30 p.m. at 5310 E. County Road 60, Midland, Texas 79705.

**Item 15. Adjourned.**

Respectfully submitted,

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Joe Patten  
Secretary