

Midland County Utility District

Regular Meeting Minutes

October 17, 2019

The Board of Directors of the Midland County Utility District met in a regular meeting on October 17, 2019 at 2405 West 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. The meeting was called to order at 5:33 p.m. by President Viney.

Board members present were:

Dr. Shelton Viney
Israel Rodriguez
Jackie Schneider
Joe Patten

Board members absent were:

Alan Lang

Also present at the meeting were:

Kyle Krueger	Parkhill, Smith & Cooper
Robert Rendall	Rendall Sikes PLLC
Ashley Burks	Parkhill, Smith & Cooper
Bill Bain	Bookkeeper
Jerry Kyle	Orrick, Herrington & Sutcliffe, LLP
Paul Jack	Estrada Hinojosa & Company, Inc.

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

Item 3. No members of the public wished to speak.

Item 4. Paul Jack of Estrada Hinojosa & Co discussed with the Board financial services consultation his firm could provide the District.

Item 5. Jerry Kyle of Orrick, Herrington & Sutcliffe, LLP discussed with the Board services his firm could provide in regard to bond counsel advice in preparation of the calling of a bond issue election.

Item 6. Dr. Viney called Item 6 on the Agenda. Mr. Rodriguez made a motion to approve the Minutes of the September 15, 2019 meeting which was seconded by Mr. Schneider and passed unanimously.

Item 7. Mr. Bain reviewed the financials with the Board. After discussion Mr. Schneider made a motion to approve the financial report and approve payment of bills and invoices attached hereto. The motion was seconded by Mr. Patten and unanimously approved.

Item 8. Mr. Krueger provided a report to the Board in regard to the District activities.

- Item 9.** Mr. Rendall advised the Board of further discussions with the developers of the Vander Ranch subdivision and the need for the District to act as the governing entity to contract with Oncor to provide street lights in the subdivision. After discussion, on motion by Mr. Patten, seconded by Mr. Rodriguez the Board unanimously authorized the President to execute an agent with Oncor Electric Delivery Company for streetlight services in the Vander Ranch development.
- Item 10.** Mr. Rendall advised the Board the Vander Ranch Homeowners Association will reimburse the District for all expenses associated with the Oncor Electric Delivery agreement approved as Item 9. After discussion, on motion by Mr. Rodriguez, seconded by Mr. Patten, the Board unanimously authorized the President to execute an agreement with the Vander Ranch Homeowners Association to reimburse the Oncor expenses, said objection to be guaranteed by the parent company of the developer.
- Item 11.** Mr. Rendall advised the Board the Midland County Commissioner Court has approved an Interlocal Agreement with the District allowing the District to use the County's right of way located in the District for the purpose of constructing utility lines. After discussion, on motion by Mr. Schneider, seconded by Mr. Rodriguez, the Board unanimously authorized the President to execute an Interlocal Agreement with Midland County, a copy of which is attached.
- Item 12.** Mr. Rendall discussed continued dialogue between the developers of Vander Ranch, Midland County and the District regarding maintenance of roads in the Vander Ranch development.
- Item 13.** The Board recessed into Executive Session at 6:22 p. m.
No action was taken in Executive Session.
- The Board resumed its Regular meeting at 6:40 p.m.
- Item 14.** Mr. Rendall discussed with Board the possibility of an Interlocal Agreement with the City of Midland, Midland County and the Midland County Fresh Water Supply District. No action was taken on the matter.
- Item 15.** Dr. Viney called Item 15 from the Agenda. After discussion, the Board asked the General Manager to request letters of engagement with Estrada Hinojosa & Co and Orrick, Herrington & Sutcliffe, LLP.
- Item 16.** Dr. Viney advised the Board that Priority Midland has requested direction on who may vote on items as a representative of the District. After discussion, on motion by Mr. Rodriguez, seconded by Mr. Patten and adopted unanimously for the General Manager to advise Priority Midland that Dr. Viney, Jay Edward and Robert Rendall each have the authority to represent the District and vote on behalf on matters for the District.
- Item 17.** Dr. Viney announced the next regular meeting of the Board would take place on Thursday, November 14, 2019 at 5:30 p.m. subject to call of the President.
- Item 18.** The meeting was adjourned at 6:50 p.m.

Respectfully submitted,



Joe Patten
Secretary