

Midland County Utility District
Regular Meeting Minutes
October 20, 2022

The Board of Directors of the Midland County Utility District met in a regular meeting on October 20, 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 5:31 p.m. on October 20, 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 September 20, 2022 Regular Meeting. Dr. Viney called Item 4 on the agenda. Mr. Schneider made a motion to approve the minutes of the September 20, 2022 regular meeting. The motion was seconded by Mr. Patten and unanimously 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. Dr. Viney asked about ownership of the work that Parkhill engineering has done for the District over the last decade. Mr. Edwards responded that the engineering work is the property of the District. Dr. Viney also wanted to clarify that if the City

ever wanted to use the engineering work done by Parkhill for the District, the City would need to pay for it. Mr. Edwards confirmed this as well. Lastly, Dr. Viney confirmed with Mr. Carlton that no other documentation is necessary to establish that the engineering work is the District's property.

Mr. Bain discussed the Parkhill engineering fees and that some project management fees have been included in the engineering fees. Mr. Bain will work on identifying and separating the fees to their appropriate line items.

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

Item 6. Consider engagement of an auditor to perform following year audit. Mr. Bain spoke with Weaver and requested they send an engagement letter for execution. Mr. Rodriguez moved to approve the engagement of Weaver to perform the District's audit on the same terms as the previous year. Mr. Lang seconded the motion and the motion passed 5-0.

Item 7. 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 Directors. No action was taken.

Item 8. Discuss and consider acquisition of property for District facilities. The item was not addressed.

Item 9. Receive Park Water development updates. Mr. Edwards presented an update on the Park Water development to the Board. No action was taken.

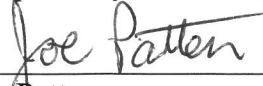
Item 10. Receive report from District's attorney and consider taking action regarding contracts, legislative issues, regulatory issues and matters relating to future elections. Mr. Carlton stated he had no updates for the Board.

Item 11. Discuss time and date for next meeting. Next regular meeting to be held on November 15, 2022, at 5:30 p.m. at 2405 W. Missouri Avenue, Midland, Texas 79701.

The board entered into executive session at 6:17 p.m. to receive advice from the District's attorney. The board reconvened in open session at 6:39 p.m. No action was taken.

Item 12. **Adjourn.** Mr. Schneider moved to adjourn the meeting, and Mr. Patten seconded. The motion passed 5-0, and the meeting was adjourned at 6:40 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joe Patten". The signature is written in black ink and is positioned above a horizontal line.

Joe Patten
Secretary