

**Midland County Utility District**  
**Regular Meeting Minutes**  
**December 13, 2018**

The Board of Directors of the Midland County Utility District met in a regular meeting on December 13, 2018 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 5:46 p.m. by President Viney. Board members present were:

Dr. Shelton Viney	President
Alan Lang	Vice President
Israel Rodriguez	Treasurer
Joe Patten	Secretary and Assistant Treasurer

Also present at the meeting were:

Robert Rendall	District's Attorney
Jay Edwards	General Manager
Kyle Krueger	Parkhill, Smith & Cooper
Zane Edwards	Parkhill, Smith & Cooper

Members of the public present were:

None

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

**Item 3.** Dr. Viney asked if there were any members of the public present to speak. No one was present to speak.

**Item 4.** Dr. Viney called Item 4 on the Agenda. Mr. Lang made a motion to approve the Minutes of the September 6, 2018 meeting, which was seconded by Mr. Patten and passed unanimously.

**Item 5.** Mr. Rendall briefly reviewed the financial report with the Board. After discussion, Mr. Lang made a motion to receive the financial report which was seconded by Mr. Patten. The motion was approved unanimously. Mr. Patten then made a motion to pay the bills and invoices, a list of which is attached. Mr. Rodriguez seconded the motion and it passes unanimously.

**Item 6.** Dr. Viney requested David Heath of Johnson, Miller & Co. CPA's PC to present the 2017-2018 Audit. Mr. Heath walked the Board through the audit document and answered questions of the Board. Mr. Rodriguez made a motion to accept the Audit with the recommendation regarding financial reports and ou distribution of the completed audit by the General Manager. Mr. Patten second the motion and it was approved unanimously.

**Item 7.** Mr. Jay Edwards provided a report on behalf of the General Manager regarding District activities since the last meeting and along with Mr. Zane Edwards and Kyle Krueger provided a presentation on the scope of work needed to prepare for a bond election to finance a distribution system.

**Item 8.** After the presentation by Parkhill, Smith & Cooper, Mr. Rodriguez made a motion to approve a contract with Parkhill, Smith & Cooper to provide preliminary engineering services and prepare a written report to the District. The motion was seconded by Mr. Patten and unanimously approved.

**Item 9.** Mr. Rendall advised the Board an election will need to be called for election of two (2) Board Members on May 4, 2019. After discussion Mr. Lang moved adoption of the Resolution set fourth below. The motion was seconded by Mr. Rodriguez and unanimously approved.

**RESOLUTION APPROVING ORDER CALLING FOR ELECTION OF DIRECTORS AND AUTHORIZING GENERAL MANAGER TO POST APPROPRIATE NOTICES REGARDING 2019 ELECTION**

STATE OF TEXAS                   §  
COUNTY OF MIDLAND         §

**WHEREAS**, the Midland County Utility District ("District") is a political subdivision of the State of Texas, created and operating under Chapters 49 and 51 of the Texas Water Code; and

**WHEREAS**, the District is required to have an election in May 2019;

**NOW, THEREFORE**, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MIDLAND COUNTY UTILITY DISTRICT:

**Section 1.** That the findings and facts recite in the preamble of this Resolution are made a part thereof and found to be true and correct.

**Section 2.** That the Order Calling Director Election attached hereto is approved.

**Section 3.** That the General Manager is hereby authorized and instructed to post on or before December 17, 2018, a Notice of Deadline to File Application for Place on Ballot.

**Section 4.** That the officers and consultants of the District are authorized and directed to take all actions necessary or required to carry out the terms of this Resolution.

## ORDER CALLING DIRECTOR ELECTION

STATE OF TEXAS                   §  
  §  
COUNTY OF MIDLAND           §

**WHEREAS**, Midland County Utility District (the "District") was duly created by a special act of the 82<sup>nd</sup> Texas Legislature of the State of Texas, Regular Session, HB 3111 (2011) (the "Act") as a conservation and reclamation district, and the establishment and creation of the District has been confirmed by the voters within the District; and

**WHEREAS**, in accordance with §49.103 of the Texas Water Code, the election of directors is to be held in even numbered years; and

**WHEREAS**, also in accordance with §49.103 of the Texas Water Code, an election is to be held within the District on May 4, 2019, for the election of two (2) directors who shall each serve a four (4) year term; and

**WHEREAS**, the Board of Directors wishes to proceed with the ordering of said election;

**NOW THEREFORE**, BE IT ORDERED BY THE BOARD OF DIRECTORS OF MIDLAND COUNTY UTILITY DISTRICT THAT:

**Section 1.**       The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.

**Section 2.**       An election shall be held within the District on May 4, 2018 between the hours of 7:00 a.m. and 7:00 p.m. at the Midland County precinct polling place locations within the boundaries of the District at which there will be submitted the question of the election of two (2) directors, each of whom will serve a four (4) year term.

**Section 3.**       Voting in the election will be by the use of electronic ballots printed in both English and Spanish and conforming to the requirements of the Texas Election Code. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judge or the Alternate Presiding Judge. The ballots used in the election shall have printed thereon the names of all candidates for the office of director who filed applications to have their names printed on the ballot at least seventy-eight (78) days prior to the election, and, if necessary, one (1) blank space for write-in vote for any candidate for the office of director who has filed a declaration of write-in candidacy at least seventy-eight (78) days prior to the election. Each voter may vote for none, one or two persons for director by placing an "X" in the square beside the person's or persons' names or by writing the name or names of a person or persons in the blank spaces provided.

**Section 4.**       The District is hereby composed of one (1) election precinct as established by Midland County. The polling places for each such election precincts shall be the polling places established by Midland County for such election precincts in Midland County.

The presiding judges, alternate presiding judges and clerks for the election selected and appointed by Midland County in compliance with the requirements of state Law are hereby designated and appointed election officers for the holding of this election. The presiding judges, alternate presiding judges, and clerks shall perform the functions and duties of their respective positions that are provided by state law. Early voting in the election by personal appearance shall begin on April 22, 2019 and continue through April 30,

2019. The Regular Early Voting Clerk and the mailing address to which requests for applications for early voting ballots to be voted by mail may be sent will be designated subsequently by separate order, and early voting will be conducted at polling locations established by Midland County for early voting.

**Section 5.** The election shall be held and conducted and returns made of this Board of Directors in accordance with the Texas Election Code, as modified by Chapter 49 of the Texas Water Code.

**Section 6.** All qualified resident electors of the District shall be entitled to vote in the election.

**Section 7.** The Secretary of the Board is hereby directed to cause notice of this election to be published or posted in both Spanish and English in accordance with the requirements of the Texas Election Code.

**Item 10.** The Board did not recess into Executive Session.

**Item 11.** After discussion, the Board agreed to hold the next meeting on Thursday, February 21, 2019 at 5:30 p.m., subject to call of the President.

There being no further business to conduct before the Board of Directors, the meeting adjourned at 7:07 p.m.

Respectfully submitted,



---

Joe Patten  
Secretary

Midland County Utility District  
As of November 30, 2018

Date	Name	Split	Amount
07/02/18		Midland Central Appr Dist	356.44
07/05/18	William R Bain	Bookkeeping Services	(1,500.00)
07/16/18	Rendall Sikes LLC	-SPLIT-	(2,745.00)
08/08/18	Rendall Sikes LLC	Legal	(270.00)
08/08/18	William R Bain	Bookkeeping Services	(1,500.00)
09/04/18	TMI Intergovernmental Risk Pool	-SPLIT-	(846.72)
09/04/18	William R Bain	Bookkeeping Services	(1,500.00)
09/10/18	Rendall Sikes LLC	Legal	(4,050.00)
09/26/18	Midland Central Appraisal District	-SPLIT-	(1,296.33)
10/03/18	Rendall Sikes LLC	Legal	(2,220.00)
10/03/18	William R Bain	Bookkeeping Services	(1,500.00)
11/09/18	William R Bain	Bookkeeping Services	(1,500.00)
11/14/18	Rendall Sikes LLC	Legal	(765.00)
11/19/18	Johnson Miller & Co., CPA's	Audit	(7,500.00)