

## Midland County Utility District

### Regular Meeting Minutes

August 15, 2019

The Board of Directors of the Midland County Utility District met in a regular meeting on August 15, 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 5:30 p.m. by President Viney. Board members present were:

Dr. Shelton Viney  
Alan Lang  
Israel Rodriguez  
Jackie Schneider  
Joe Patten

Also present at the meeting were:

Gary J. Law	Midland Development Corporation
Jay Edwards	Parkhill, Smith & Cooper
Robert Rendall	Rendall Sikes PLLC
Cory Moose	City of Midland Utility Department
Casey Raines	Rendall Sikes PLLC
Bill Bain	bookkeeper

Members of the public present were:

Leah Robertson                      Meyers & Ward

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

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

**Item 4.** Dr. Viney called Item 4 on the Agenda. Mr. Rodriguez made a motion to approve the Minutes of the June 25, 2019 meeting which was seconded by Mr. Schneider and passed unanimously.

**Item 5.** 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. Lang and unanimously approved.

**Item 6.** Jay Edwards provided a report to the Board in regard to the District activities. He reported that discussions continue with the City of Midland and CRMWD regarding transport of water in the District.

- Item 7.** Mr. Edwards advised the Board that only Weaver & Tidwell LLC had responded to the Request for Proposal for Audit Service for the 2019-2020 fiscal period. Since the current auditor did not respond to the Request for Qualifications, the Board deferred any action until a committee composed of Dr. Viney and Alan Lang could review the response from Weaver & Tidwell LLC.
- Item 8.** Mr. Edwards advised the Board that Meyers & Ward and Rendall Sikes PLLC had responded to the Request for Qualifications for Legal Services for the 2019-2020 fiscal period. Leah Robertson of Meyers & Ward discussed with the Board the qualification of her firm to handle the legal needs for the District. After discussion the Board deferred action until a committee composed of Dr. Viney and Alan Lang could review the responses to the Request for Qualifications.
- Item 9.** Mr. Bain discussed a proposed budget for the 2019-2020 fiscal year. After discussion, Mr. Lang made a motion to approve the Budget, as attached hereto. Mr. Schneider seconded the motion and it was unanimously approved.
- Item 10.** Mr. Rendall presented the Certified Valuations from the Midland Central Appraisal District and discussed tax rate options with the Board. After discussion, a motion to advertise in accordance with state law a proposed rate of \$ 0.027302 per \$ 100.00 of valuation and to hold a public hearing on the proposed tax rate on September 19, 2019 at 5:30 p.m. at 2405 W. Missouri Ave., Midland, Texas was made by Mr. Lang. Mr. Rodriguez seconded the motion and it was approved unanimously.
- Item 11.** Mr. Rendall advised the Board he had been in discussion with Midland County regarding documentation of the District's authority to use County Right of Way for pipeline construction. Mr. Rendall advised that until an agreement was in place with Midland County, the District could not move forward on agreement with Permian Basin Water for its proposed development within the District.
- Item 12.** Mr. Rendall gave a brief summary of legislation approved during the last legislative session which could impact the District.
- Item 13.** Mr. Edwards discussed the District's website and e-mail system. The Board discussed the necessity for all communication between Board Members and the District's General Manager, accountant and legal counsel to be conducted through the District's system. Mr. Rendall reminded the Board it should not communicate as a group through the e-mail system so as to not be in violation of the Texas Open Meeting Act.
- Item 14.** Mr. Rendall provided the Board with information regarding a possible bond election in May of 2020.
- Item 15.** The Board did not recess into Executive Session.

**Item 16.** Dr. Viney announced the next regular meeting of the Board would take place on Thursday, September 19, 2019 at 5:30 p.m subject to call of the President.

**Item 17.** The meeting was adjourned at 6:19 p.m.

Respectfully submitted,



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Joe Patten  
Secretary

Midland County Utility District

	Oct '18 - Sep 19	Oct '19 - Sep 20
	Approved	Proposed
	Budget	Budget
Ordinary Income/Expense		
Income		
Midland Central Appr Dist	600,000	735,000
Total Income	600,000	735,000
Expense		
Audit	15,000	18,000
Bookkeeping Services	16,500	18,000
Election Cost	10,000	10,000
Project Related		
Master Planning	250,000	250,000
Engineering	186,750	302,000
Insurance	1,000	1,000
Legal	81,000	81,000
Management Fees	33,000	48,000
Midland Central Appraisal Dist	6,000	6,400
Office Supplies	750	600
Total Expense	600,000	735,000
Net Ordinary Income	-	-
Net Income	-	-

Midland County Utility District  
Disbursements

Type	Date	Name	Split	Amount	
Check	10/03/18	Rendall Sikes LLC	Legal	(2,220.00)	****
Check	10/03/18	William R Bain	Bookkeeping Services	(1,500.00)	****
Check	11/09/18	William R Bain	Bookkeeping Services	(1,500.00)	
Check	11/14/18	Rendall Sikes LLC	Legal	(765.00)	
Check	11/19/18	Johnson Miller & Co., CPA's	Audit	(7,500.00)	
Check	12/04/18	Rendall Sikes LLC	Legal	(2,310.00)	
Check	12/04/18	William R Bain	Bookkeeping Services	(1,500.00)	
Check	12/20/18	Johnson Miller & Co., CPA's	Audit	(5,000.00)	
Check	12/28/18	Midland Central Appraisal District	-SPLIT-	(806.22)	
Check	01/07/19	Rendall Sikes LLC	Legal	(3,600.00)	
Check	01/07/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	01/16/19	Johnson Miller & Co., CPA's	Audit	(2,530.00)	
Check	02/06/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	02/07/19	Rendall Sikes LLC	Legal	(2,980.00)	
Check	02/18/19	The Carlton Law Firm	Legal	(143.76)	
Check	03/08/19	Rendall Sikes LLC	Legal	(2,910.00)	
Check	03/08/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	03/28/19	Midland Central Appraisal District	-SPLIT-	(1,400.98)	
Check	03/28/19	Parkhill Smith & Cooper	Engineering	(100,001.80)	
Check	04/11/19	Rendall Sikes LLC	Legal	(4,610.00)	
Check	04/11/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	04/17/19	Parkhill Smith & Cooper	Engineering	(43,011.61)	
Check	05/07/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	05/09/19	Rendall Sikes LLC	Legal	(9,721.77)	
Check	05/17/19	Parkhill Smith & Cooper	Engineering	(13,532.04)	
Check	05/17/19	The Carlton Law Firm	Legal	(231.00)	
Check	05/23/19	Midland Central Appraisal District	-SPLIT-	(1,400.98)	
Check	06/05/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	06/12/19	Rendall Sikes LLC	Legal	(2,000.00)	
Check	06/24/19	Parkhill Smith & Cooper	Engineering	(7,898.41)	
Check	07/05/19	William R Bain	Bookkeeping Services	(1,500.00)	
Check	07/11/19	Rendall Sikes LLC	Legal	(7,015.00)	
Check	07/22/19	Parkhill Smith & Cooper	Engineering	(8,292.00)	

Fiscal 2018 \*\*\*\*