

NOTICE OF REGULAR MEETING OF THE ECTOR COUNTY UTILITY DISTRICT

Notice is hereby given that on the 7th day of December 2022; the Board of Directors of the Ector County Utility District of Ector County will hold a Directors' Workshop beginning at 1:30 P.M., until 2:30 P.M., at 1039 N. Moss Avenue, Odessa, Texas 79763.

The Regular Board Meeting will commence at 2:30 P.M., in the District's Board Room located at 1039 N. Moss Avenue, Odessa, Ector County, Texas 79763.

The subjects to be discussed in the Workshop and Board Meeting are listed below on the December 7, 2022 regular meeting agenda. Public comment on individual agenda items will be considered (limit 5 minutes per person).

AGENDA

1. Call to Order.
2. Consider and Approve Request for Qualifications (RFQ) for forensic accounting services to audit AVR and associated third parties.
3. Consider and Approve purchase of new Backhoe.
4. Consider and Approve hiring a General Manager.
5. Consider and Approve Computerized Maintenance Management System (CMMS) presentation by Kevin Brinkley.
6. Consider and Approve Consent to Assignment of Purchase Orders Under Professional Service Agreement from S.W. Howell to Dennis & Associates.
7. Consider and Approve Letter of Intent for additional potable water supply.
8. Discuss and Approve miscellaneous customer charges, purchased water adjustment clause, water rate adjustments and cost of purchased water from City of Odessa beginning October 1, 2022 and Interim Rate for the water pass-through surcharge mechanism.
9. Approval of Board Minutes.
10. Approval of Financial Reports.
11. Discussion Items: Treasurer's Report
 - (i) September 30, 2022 Financial Statements;
 - (ii) AVR Billing & Collections Report.
12. Discussion Items: President's Report
 - (i) Progress reports
13. Public comments and input on non-agenda items within the jurisdiction and responsibilities of the District (limit 5 minutes per person).
14. Adjourn.

The Ector County Utility District Board of Directors reserves the right to change the agenda item order.

If, during the course of the meeting covered by this notice, the Board of Directors is required, then such closed or executive meeting of session as Title 5, Chapter 551, Government Code of Texas will be held by the Board of Directors at the date, hour, and place given in this notice or as soon after the commencement of the meeting covered by this notice as the Board of Directors may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Section 551 of said Government Code, including, but not limited to:

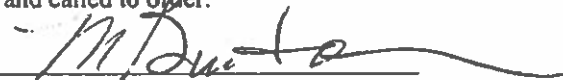
§ 551.071 For the purpose of a private consultation with the board's attorney.

- § 551.072 For the purpose of discussing the purchase, exchange, lease, or value of real property.
- § 551.073 For the purpose of discussing negotiated contracts for prospective gifts, or donations.
- § 551.074 For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- § 551.076 To consider the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.
- § 551.084 For the purpose of excluding any witnesses from a hearing during examination of another witness.
- § 551.087 For the purpose of discussing economic development information received from a business seeking to locate in or near the District, and offers of a financial and other intentions to a business prospect.
- § 551.089 For the purpose of discussing security assessments of development of information resources technology, security personnel, critical infrastructure or security devices.

Should any final action, final decision, or final vote be required in the opinion of the Board of Directors with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:


- (a) The open meeting covered by the notice upon the reconvening of this public meeting; or
- (b) At a subsequent public meeting of the Board upon notice thereof; as the Board of Directors shall determine.

This notice was telephoned or mailed to all members of the news media who had previously requested such notice; and an original copy was posted on the bulletin boards at the first floor of Ector County Courtroom and the Ector County Utility District office on the 2 day of December, 2022, at 11:52A.M., said time being more than seventy-two (72) hours prior to the time at which the subject meeting will be convened and called to order.



 Margaret Burton
 Secretary

Posted: 12-2-22, 2022 at Ector County Courthouse

By: 

 Deputy County Clerk
 Jennifer Martin, County Clerk
 Ector County, Texas

MINUTES OF THE BOARD MEETING OF THE ECTOR COUNTY UTILITY DISTRICT

December 7th, 2022

The Board of Directors of the Ector County Utility District met in Workshop Meeting session on December 7th, 2022, at 1039 N. Moss Avenue.

Board Members: President Tommy Ervin, Director Margaret Burton, Director Stephanie Shaw, Director Troy Walker, Director Sheila Black

Non-Board Members Present:

Bill Fowler- legal counsel
Carl Adkins- visitor
John Kelley – visitor
Shirley Kelley – visitor
Linda Williams – visitor
Norlene McBride – visitor
Will Kappauf- Visitor
Jeff Russell - Visitor
Mike Gardener- Commissioner
Perla Flores – ECUD
John Lee – ECUD
Anthony Shackelford – ECUD

1. **Call to Order.** President Ervin introduced those in attendance and with a quorum present called the meeting to order at 2:32 p.m.
2. Consider and Approve Request for Qualifications (RFQ) for forensic accounting services to audit AVR and associated third parties.

Motion: After discussion among the board members Director Shaw made a motion to approve the request for Qualification for forensic accounting services to audit AVR and associated third parties with the amendment of the company description to include the size of our district with the number of customers, seconded by Director Burton and Director Black, opposed by Director Walker, motion carries.

Public Comments by: Will Kappauf and Shirley Kelley

3. Consider and Approve purchase of new Backhoe.

President Ervin withdrew agenda item no. 3.

4. Consider and Approve hiring a General Manager.

Director Shaw made a motion to go into Executive Session under government code (551.074) seconded by Director Black at 2:55 pm, motion carries.

551.074 For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Regular Board Meeting resumed at 3:33 p.m. no votes were taken.

Motion: After discussion among the board members Director Shaw made a motion to approve to hire Debbie Hays as General Manager, seconded by Director Burton and Director Black, opposed by Director Walker, motion carries.

Public comments - Will Kappauf

5. Consider and Approve Computerized Maintenance Management System (CMMS) presentation by Kevin Brinkley.

Motion: After discussion among the board members Director Walker made a motion to table agenda item no.5 until next board meeting, seconded by Director Shaw, motion carries.

Public comments by Mike Gardner, Will Kappauf, Shirley Kelley, Carl Adkins.

Mike Gardner was giving the opportunity for public comment on non-agenda item. Stephanie suggested to add a commissioner's report on future agendas.

6. Consider and Approve Consent to Assignment of Purchase Orders Under Professional Service Agreement from S.W. Howell to Dennis & Associates.

1st Motion: After discussion among the board members Director Walker made a motion to table agenda item no. 6 until S.W. Howell can correct the effective date on the paperwork, seconded by Director Burton. Director Walker to withdraw his first motion.

2nd Motion: After discussion among the board member Director Walker made a motion to assign Director Shaw to sign the Assignment of Purchase Orders Under Professional Service Agreement from S.W. Howell to Dennis & Associates once the date of effectiveness is the date that Director Shaw signs it, seconded by Director Black. Motion carries.

Public comments by Will Kappauf.

Director Walker left the board meeting at 5:17 p.m.

7. Consider and Approve Letter of Intent for additional potable water supply.

After discussion among the board members President Ervin withdrew agenda item no.7

Public comments by Will Kappauf.

8. Discuss and Approve miscellaneous customer charges, purchased water adjustment clause, water rate adjustments and cost of purchased water from City of Odessa beginning October 1, 2022, and Interim Rate for the water pass-through surcharge mechanism.

Motion: After discussion among the board member Director Shaw made a motion to table agenda item no. 8 until next board meeting when there's more information and better diagrams on what needs to be done, seconded by Director Black, motion carries.

Public comments by Will Kappauf, John Kelley, and Shirley Kelley.

9. Approval of Board Minutes.

Motion: Director Shaw made a motion to approve November 9th, 2022, and November 17th, 2022 Board Minutes with the spelling correction of Shirley Kelley on the November 9, 2022 board minutes.

Public comments- no public comments

10. Approval of Financial Reports.

Motion: Director Shaw made a motion to approve Financial Reports as written seconded by Director Burton.

Public comments by Shirley Kelley

11. Discussion Items: Treasurer's Report
 - (i) September 30, 2022 Financial Statements;
 - (ii) AVR Billing & Collections Report.
 - (iii) Meter Cut-offs
12. Discussion Items: President's Report
 - (i) Progress reports

13. Public comments and input on non-agenda items within the jurisdiction and responsibilities of the District (limit 5 minutes per person).

14. Adjourn.

Motion: Director Shaw made a motion to adjourn at 6:53 pm seconded by Director Burton.
Motion carries.



Margaret Burton
Secretary