

## NOTICE OF REGULAR MEETING OF THE ECTOR COUNTY UTILITY DISTRICT OF ECTOR COUNTY

Notice is hereby given that on the 10th day of November 2021; the Board of Directors of the Ector County Utility District of Ector County will hold a Regular Board Meeting with a Directors' Workshop beginning at 1:30 P.M. and the 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 are listed on the November 10, 2021 regular meeting agenda:

### AGENDA

1. Call to Order
2. Resignation of Director of the Board Terry Swann
3. Review & Discuss separation of Bookkeeping & Auditing Services
4. Review & Discuss ECUD Water bill layout
5. Discuss & Consider approval of Board Member requirement to sign plats & policy for developers prior to submission to City & County
6. Review & Discuss revision to ECUD By-Laws to clarify Article III, Section 6
7. Review & Consider approval of Delinquent Accounts Policy
8. Discuss and Consider approval for making a public access location for GIS data
9. Review & Consider Redondo Water Line bids for award
10. Discuss and Consider office acoustics improvements
11. Discussion Items:
  - i. President's Report
  - ii. Board Compliance
  - iii. Process to identify candidates and fill open Board Member positions
  - iv. Water rates update; next steps and timing.
  - v. Public comments and input on non-agenda items within the jurisdiction and responsibilities of the District (limit 5 minutes per person).
12. Adjournment

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 55/ of said Government Code, including, but not limited to:

§ 551 .071

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

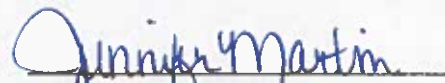
- 551.072 For the purpose of discussing the purchase, exchange, lease, or value of real property  
551.073 For the purpose of discussing negotiated contracts for prospective gifts, or  
551.074 donations. For the purpose of considering the appointment, employment,  
evaluation, reassignment, duties,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

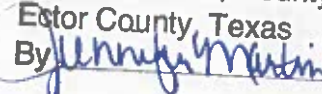
Should any final action, final decision, or final vote be required in the opinion of the Board of Directors with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- (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 5<sup>th</sup> day of November, 2021, at, 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.

  
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Will Kappauf  
Treasurer, Board of Directors

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

Posted: November 5, 2021  
Time: 11:06 a.m.  
Jennifer Martin, County Clerk  
Ector County, Texas  
By  Deputy

**MINUTES OF THE BOARD OF DIRECTORS MEETING**  
**November 10, 2021**

The Board of Directors of the Ector County Utility District met in regular session on November 10, 2021, at 1039 N. Moss Avenue.

**Members Present:** President Ervin, Director Kappauf, Director Swann, Director Burton

**Members Absent:**  
Director Shaw

**Non-Board Members Present:**

Ms. Ruby Sanchez

Ms. Maribel Valenzuela

Mr. Steve Dennis (SW Howell)

The Board of Directors of the Ector County Utility District met in regular session on November 10, 2021, at 1039 N. Moss Ave.

**1. Call to Order (presented by President Ervin):** President Ervin introduced those in attendance and with a quorum present called the meeting to order at 2:35 pm.

**2.** Resignation of Director of the Board Terry Swann.

**Motion:** Director Swann made the motion to table agenda item until next meeting. Director Burton seconded. All in favor. Motion carries.

**3.** Review & Discuss separation of Bookkeeping & Auditing Services. President Ervin recommends using David Duree with Weaver Accounting Firm. The Firm does the auditing for ECAD, along with several utility districts. President Ervin recommendation is to have Weaver do ECUD's audit instead of Haney & Co.

**Motion:** Director Kappauf made the motion to table this until the office manager is back. Have Maria from Haney & Co. come out to visit and discuss options on how to move forward in the future. Director Swann seconded. All in favor. Motion carries.

**4.** Review & Discuss ECUD Water bill layout. Director Kappauf will be making the changes on water bill to explain the Volunteer Fire Department fee on water bill. An insert will be included in the months water bill to explaining how to read the bill.

5. Discuss & Consider approval of Board Member requirement to sign plats & policy for developers prior to submission to City & County. Mr. Fowler explained that City has a contract with the County to process all the platting requests that are outside City limits but inside County limits.

**Motion:** Director Kappauf made the motion to have the Board to review and approve any plat requests and designate a Board representative and signed by Board President. Director Swann seconded. All in favor. Motion carries.

**Motion:** Director Kappauf made the motion to have Mr. Fowler draft a Policy for Developers for ECUD on a case-by-case basis. Director Swann seconded. All in favor. Motion carries.

6. Review & Discuss revision to ECUD By-Laws to clarify Article III, Section 6.

**Motion:** Director Kappauf made the motion to amend the By-Laws currently in place since 2019 for Article III, Section 6 and replace verbiage with "A Director that has been removed by the Board of Directors under Section 5 above is guilty of a felony or class A Misdemeanor, if the removed Director willfully occupies the office as a member of the Board and exercises the powers and duties of that office after removal in violation of Texas Water Code Section 49.052a." Director Swann seconded. All in favor. Motion carries.

7. Review & Consider approval of Delinquent Account Policy. Director Kappauf asks the Board to write off monies owed on old delinquent nonactive accounts that have over 120 days and find a collection agency to collect on these accounts. The top 10 accounts owing ECUD total around \$104,000.00. Employee Ms. Sanchez would work with customers on payment plans to pay balances off within a 6-month period, otherwise service would be turned off. Balances that are not able to be paid off by the 6-month period, she would consult with Director Kappauf on the next steps. Any customers with health conditions whose service have been turned off due to nonpayment, would have to provide a note from a Physician that verifies that.

**Motion:** Director Swann made the motion to approve the Delinquent Account Policy. Director Kappauf seconded. All in favor. Motion carries.

8. Discuss & Consider approval for making a public access location for GIS data. Director Kappauf proposes the public having access to ECUD GIS data.

**Motion:** Director Swann made the motion to approve a public access location to GIS data piping system. Director Burton seconded. All in favor. Motion carries.

9. **Review & Consider Redondo Water Line Bids for award:** Mr. Dennis explains the difference between prices from PVC verses Polyethylene. The bids received from Entrench have been the lowest in both categories. Mr. Dennis' recommendation is Polyethylene due to the shortage of PVC shortage due to a hurricane. All the piping would be Polyethylene except the hydrant connections. The line would start west of the Redondo pump station

down the alley over to University and runs on the south side of University to Redondo, then North of Redondo down to 42<sup>nd</sup>. President Ervin says this would develop everything south of 42<sup>nd</sup> street.

**Motion:** Director Swann made the motion to accept the bid from Entrench using polyethylene pipe at \$904,076.40. Director Kappauf seconded the motion. All in favor. Motion carries.

10. Discuss & Consider office acoustics improvements. Director Burton has been consulting with several interior decorators, carpet companies, contractors as to what would help the acoustics in the office.

**Motion:** Director Swann made the motion to have Director Burton look for a consultation and bids to solve the office acoustics improvements with a budget of \$3000.00 or less. Director Kappauf seconded. All in favor. Motion carries.

**Motion:** Director Kappauf made a motion to enter Executive Session at 4:50 PM to discuss personnel matters. Director Swann seconded the motion.

5:14PM out of executive session. No decision was made.

**Public comments and input on non-agenda items within the jurisdiction and responsibilities of the district (limit 5 minutes per person):** No public present.

**Motion:** There being no other business, a motion was made by Director Burton and seconded by Director Kappauf at 5:45 pm to adjourn the meeting.

Meeting adjourned at 5:45 pm.

X

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Director Margaret Burton  
Secretary, ECUD