

**DIAMONDHEAD WATER AND SEWER DISTRICT
REGULAR BOARD MEETING MINUTES
September 28, 2023 – 4:00p.m.**

Diamondhead City Hall – Council Chambers, 5000 Diamondhead Circle, Diamondhead, MS

1. **PRESENT BOARD MEMBERS:** Chairman Bryon Griffith, Vice-Chairman Ben Taylor, Treasurer Louis Ertel, Commissioner Mark Beisecker, and Commissioner Arlen Griffey.

ABSENT: None.

The presence of a quorum was noted, and the meeting was called to order at 4:05p.m. The public was duly notified in compliance with the District’s meeting policy.

2. **Agenda.**

Motion by Commissioner Taylor, second by Commissioner Ertel to amend the agenda as follows: (i) add Motion 9.3. to discuss and/or authorize the General Manager to file a claim against the general liability insurance carrier for City of Diamondhead’s contractor due to emergency repairs required on Makiki Drive ; and (ii) add Motion 9.4 to discuss and/or authorize a hold harmless agreement with Crawfish Max, LLC, to allow access to District property on Airport Drive. Motion passed unanimously as amended.

3. **Public Comments.** None.

4. **Minutes.**

4.1. Motion by Commissioner Beisecker, second by Commissioner Griffey to approve the minutes for the Regular Meeting held on September 14, 2023. Motion carried unanimously. (Attachment A).

5. **General Manager’s Report.**

- 5.1. **Updates of Recent Events & Projects.**

5.1.A. The punch list is ongoing for the Elevated Water Tank #2 Project. Painters are scheduled to touch up and the electrician is scheduled to work on lighting.

5.1.B. CB Developers have completed the punch list for the Water System Improvement Phase II Project. Final inspection is forthcoming.

5.1.C. The Water System Improvement Phase III Project is approximately 96% complete. DNA Underground has requested substantial completion as of September 15, 2023, and is continuing to work on sod installation and making incidental repairs in medians and yards. The project is expected to be 100% complete in 2-3 weeks.

- 5.1.D. The Sewer Improvements Basins 13, 16, & 17 Project is 68% complete. Suncoast Infrastructure has completed 8900 linear feet of pipe lining to date. The lateral lining contractor has completed 16 services to date. Crews will be sodding within the next two weeks to close out the underground portion of the project.
- 5.1.E. The temporary emergency pipe support and culvert installed by the District at the Kolo Court drainage ditch are holding steady and the culvert is working. The temporary measures are an attempt to prevent further sewer main damage from an eroding ditch bank collapse. Some erosion has become evident and the section of piping on the north end of the ditch is somewhat exposed again. The riprap has been dislodged and moved downstream.
- 5.1.F. After speaking with legal counsel regarding the City of Diamondhead's Makiki Drive Drainage Project, it is recommended that the District file a claim with the contractor who caused the emergency repairs. This would not release the City of Diamondhead from responsibility.
- 5.1.G. Bids for the MDOT Roundabout Project for the relocation of existing utilities as required by MDOT, are being opened tonight.
- 5.1.H. The District has installed 2 new water/sewer services and 4 sewer cleanouts, completed 17 sewer cleanout concrete castings, performed 6 water service repairs and 2 after-hours water service repairs, since the last meeting.
- 5.1.I. A Cease-and-Desist Notice was presented to all directional boring and pneumatic boring operations within the certificated area of the Diamondhead Water & Sewer District.
- 5.1.J. Mr. Eric Nolan has been sworn in by the Chancery Clerk and will begin his term as Commissioner on September 29, 2023. His first meeting participation will be at the October 12, 2023 Regular Board Meeting.

6. Construction / Engineering Projects.

6.1. Sewer Improvements-Phase I & II (Basins #13, #16, #17) Project.

6.1.A. Motion by Commissioner Taylor, second by Commissioner Beisecker to approve Suncoast Infrastructure Pay App#15 in the amount of \$152,910.00 for the time period of July 1, 2023 through August 31, 2023, leaving a remaining balance of \$2,236,833.21 on this contract. Motion carried unanimously. (Attachment B).

6.2. Water System Rehab-Phase I Project (New Water Tower).

6.2.A. None.

6.3. Water System Rehab-Phase II Project.

6.3.A. Motion by Commissioner Griffey, second by Commissioner Ertel to approve Digital Engineering Invoice# 728-1313-26 in the amount of \$2,000.00 for the time period of July 30, 2023 through August 26, 2023, leaving a remaining balance of \$14,730.00 on this contract. Motion carried unanimously. (Attachment C).

6.4. Water System Rehab-Phase III Project.

6.4.A. None.

6.5. MDOT Roundabout Utility Relocation Project.

6.5.A. Motion by Commissioner Ertel, second by Commissioner Taylor to acknowledge receipt of project bids and to authorize the opening of all bids by Digital Engineering. Motion carried unanimously. (Attachment D).

John Stein with Digital Engineering opened the MDOT Roundabout Utility Relocation Project bids as follows: (i) L. J. Construction, Inc. \$100,086.09; (ii) Bottom2Top Construction, LLC \$136,416.73; (iii) DNA Underground, LLC \$115,595.00; and (iv) Moran Hauling, Inc. \$129,034.50.

6.5.B. Motion by Commissioner Ertel, second by Commissioner Griffey to take all bids under advisement, to authorize Digital Engineering to review all received bids, and to report back to the Board with their recommendation. Motion carried unanimously. (Attachment E)

6.5.C. Motion by Commissioner Ertel, second by Commissioner Taylor to approve Digital Engineering Invoice# 728-1310.022-06 in the amount of \$10,000.00 for the time period of July 30, 2023 through August 26, 2023, leaving a remaining balance of \$8,886.80 on this contract. Motion carried unanimously. (Attachment F).

6.6. Miscellaneous Construction/Engineering Projects.

6.6.A. Motion by Commissioner Beisecker, second by Commissioner Ertel to approve Digital Engineering (i) Invoice#23R00024.001-04 in the amount of \$160.00 for Mauna Kea Townhomes Plan Review, (ii) Invoice#23R00024.009-02 in the amount of \$1,113.75 for Grant Application Assistance; and (iii) Invoice#23R00024.007-04 in the amount of \$2,340.00 for GIS Integration Project, all for the time period of July 30, 2023 through August 26, 2023. Motion carried unanimously. (Attachment G).

7. Financial.

7.1. Docket of Claims & Financial Reports.

7.1.A. Motion by Commissioner Beisecker, second by Commissioner Taylor to approve payment of the Docket of Claims in the total amount of \$40,018.27, as attached hereto. Motion carried unanimously. (Attachment H).

7.1.B. Motion by Commissioner Griffey, second by Commissioner Ertel to acknowledge payment of the Unapproved Docket of Claims as detailed in Section 6., in the total amount of \$168,523.75, as attached hereto. Motion carried unanimously. (Attachment I).

7.1.C. Motion by Commissioner Taylor, second by Commissioner Beisecker to approve payment of the Customer Deposit Refund Register in the total amount of \$5,223.48, as attached hereto. Motion carried unanimously. (Attachment J).

7.1.D. Motion by Commissioner Ertel, second by Commissioner Griffey to approve the Wright, Ward, Hatten, & Guel Audit Engagement Letter for the FY22/23 Annual Audit at a “not to exceed” rate of \$14,000.00, and to authorize the Chairman to execute same. Motion carried unanimously. (Attachment K).

8. Old Business.

8.1. Motion by Commissioner Taylor, second by Commissioner Ertel to spread upon the minutes the executed ProComputers contract that was approved by the Board on September 14, 2023. Motion carried unanimously. (Attachment L).

9. New Business/Discussion Items.

9.1. Motion by Commissioner Griffey, second by Commissioner Taylor to discuss the Alfonso Property Management request for credit in the amount of \$195.42, which falls outside of Board Leak Forgiveness Policy#D-2023-004. Motion carried unanimously to discuss. (Attachment M).

Motion by Commissioner Griffey, second by Commissioner Ertel to deny Alfonso Property Management’s request for credit in the amount of \$195.42, which falls outside of the Board Leak Forgiveness Policy#D-2023-004. Motion carried unanimously.

9.2. Motion by Commissioner Taylor, second by Commissioner Ertel to acknowledge City of Diamondhead Resolution 2023-033 dated September 5, 2023, thereby appointing Eric Nolan to the Diamondhead Water & Sewer District Board of Commission for a 5-year term effective September 29, 2023 through September 28, 2028. Motion carried unanimously. (Attachment N).

9.3. Motion by Commissioner Ertel, second by Commissioner Taylor to authorize the General Manager to file a claim, as requested by the City of Diamondhead, against the general liability insurance carrier of J&A Excavation Inc., the contractor for the City’s Makiki Drive Drainage Project, in the amount of \$9,343.00 for damages incurred as a result of emergency repairs by the City in the filing of the claim; and (ii) that the District does not waive any right to pursue recovery of any remaining amounts owed to the District from the City after filing said claim. Motion carried unanimously.

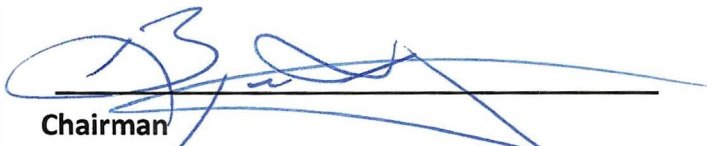
9.4. Motion by Commissioner Taylor, second by Commissioner Griffey to authorize a hold harmless agreement with Crawfish Max, LLC granting access to District property located on Airport Drive, contingent upon legal approval. Motion carried unanimously.

10. Adjourn.

Motion by Commissioner Taylor, second by Commissioner Beisecker to adjourn at 4:53p.m. Motion carried unanimously.

The next meeting of the Board of Commissioners is scheduled for October 12, 2023 at 4:00 p.m. at Diamondhead City Hall Council Chambers, 5000 Diamondhead Circle, Diamondhead, MS.




Chairman

10/12/23
Date