

**REGULAR THIRD TUESDAY NOVEMBER 2021, MEETING
OF THE MAYOR AND BOARD OF ALDERMEN**

BE IT REMEMBERED that Tuesday, November 16, 2021, being the third Tuesday of said month and the day fixed by Board order for holding the third monthly meeting, said meeting was held in the Boardroom in the Municipal Complex at 909 River Road in the Town of Tunica, Mississippi, beginning at 3:00 p.m. with the following present or absent as indicated below:

Mayor Andrew T. Dulaney	Present
Alderman Lee B. Turner	Present
Alderman Valerie Hartsfield	Present
Alderman Rebecca P. Fyfe	Present
Alderman Adam Fullilove	Present
Alderman Daniel M. Pierce	Present
Town Clerk Kate Scott Pennock	Absent
Town Attorney Richard W. Ryals, II	Present
Police Chief Kevin Hatton	Present
Operations Manager Thomas J. Robinson, III	Present
Town Chaplain Danny Smith	Absent
*Via telephone.	

Others in attendance are listed on the attendance sheet.

APPENDIX A – ATTENDANCE SHEET

Mayor Dulaney called the meeting to order and led in the pledge of allegiance. Town Chaplain Smith led in prayer.

The Board considered the minutes from the November 2, 2021, meeting. Alderman Pierce moved to approve the minutes as written and previously provided to the Board of Aldermen. Alderman Fyfe seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Aldermen present, the Mayor declared the same carried and adopted.

REPORTS:

- **Police Report: Chief Hatton reported for the Police Department. As part of his report, Chief Hatton advised that he had nothing out of the ordinary to report at this meeting.**

- **Public Works:** Thomas J. Robinson reported on public works and other operations. Mr. Robinson advised that the water line extension project for Gresham Petroleum has been completed. Additionally, the Christmas decorations are being put up this week so that they are ready to be turned on for Thanksgiving night. Mr. Robinson reported that the backhoe has had an issue with its tires. The tires are being replaced. Finally, Mr. Dulaney advised that the mini-excavator that the Town ordered will be delivered in March. Mr. Robinson is able to borrow Michael Johnson's if and when needed until then.
- **Tunica Mainstreet:** Laura Withers reported for Tunica Mainstreet. Ms. Withers reported that the holiday shopping event was a success and she thanked the Board members for their participation. Ms. Withers updated the Mayor and Board of Aldermen on upcoming events. The Christmas Tree Lighting will be held December 2, 2021, beginning at 5:30 p.m. She also gave an update on the mural project. The initial designs options should be finalized later this year or the first of 2022. The goal is to have the mural completed by RiverGate. Finally, she is working to schedule RiverGate. It will be held in April. There being no questions, Ms. Withers was thanked for her report.
- **Code Report:** David Graves reported on code enforcement. Following a review of Mr. Graves report, Mr. Graves was thanked for his efforts.

Alderman Pierce left the meeting.

APPENDIX B – WATER ADJUSTMENTS

The Mayor and Board of Alderman of the Town of Tunica then discussed and considered the water adjustments for the last month(s) due to leaks that have now been repaired. The Board was advised that all of the leaks have been confirmed and that each has been repaired/addressed by the customer. Mr. Robinson had the required information for each available for review. Mr. Robinson confirmed that the proposed adjustments are in conformity with the Town's policy for water adjustments. Alderman Turner moved the adjustments as presented by approved and that the necessary Town employees be authorized to take such action as is reasonably necessary to adjust the indicated customers water bills. Alderman Fyfe seconded. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Aldermen present, the Mayor declared the same carried and adopted. Alderman Pierce was absent from the meeting during the discussion and vote.

Following the action relating to the water adjustments, Alderman Pierce returned to the meeting.

The Mayor and Board of Aldermen next discussed the appointment of the Town of Tunica Preservation Commission. This is required as part of Town of Tunica Ordinance 46-53. Mr. Dulaney advised that he recommended the number of Commissioners be set at six (6) with each Alderman designating a member. The five members as designated by the Aldermen will be voting members. The Mayor will designate an ex-officio member who will serve as Chairman but not be a voting member unless to break a tie vote. The terms shall run for the approximately 4 years being from the date of appointment until December 31, 2025, and thereafter for periods of 4 years. This will allow future Boards six (6) months to designate and appoint Commissioners. Mayor Dulaney reviewed the requirements in order to appoint commissioners. Following the discussion, Alderman Turner moved that the recommendation of Mayor Dulaney as outlined above be accepted and approved, and that notice be given as required by the Town's ordinance relating to publication of notice soliciting responses from citizens who are interested in serving on the Commission. Alderman Pierce seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Aldermen present, the Mayor declared the same carried and adopted.

The Mayor and Board next discussed and considered travel requests. There were no travel request presented.

The Mayor and Board of Aldermen next considered holding an Executive Session, as authorized pursuant to Section 25-41-7, Mississippi Code of 1972, as amended. Alderman Turner moved that a closed determination be held to discuss whether an executive session is needed to be held and is appropriate. Alderman Fullilove seconded the motion. Thereupon, the matter was put to a vote with the results as follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, yea; Alderman Fullilove, yea; and Alderman Pierce, yea. The matter having received the majority affirmative vote of the Board of Aldermen of the Town of Tunica, the Mayor declared the motion carried and the Mayor and Board held a closed determination on the issue of whether an executive session is necessary. Mayor Dulaney stated that the purpose for holding the executive session would be to discuss applications and specific applicants for the Chief of Police position, to consider who the best candidate is and to discuss the salary for the position. (the "Executive Session Matter").

Based on this, Alderman Turner moved that the Mayor and Board of Aldermen hold an executive session to discuss, consider and act on the Executive Session Matter. Alderman Fullilove seconded the motion. The matter was put to a vote with the result as follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, yea; Alderman Fullilove, yea; and Alderman Pierce, yea. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and the Board entered executive session to consider the Executive Session

Matters. Present during the executive session were the Mayor and all members of the Board of Aldermen who were present for the meeting, and Mr. Ryals, Town Attorney.

During the executive session, the Executive Session Matter was discussed. Following the discussion, no action was taken.

Following the discussion, Alderman Fyfe moved to leave executive session. Alderman Turner seconded the motion. The matter was put to a vote with the result follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, yea; Alderman Fullilove, yea; and Alderman Pierce, yea. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and the Board ended the executive session and returned to open meeting. Mayor Dulaney announced the action taken during executive session.

The Mayor and Board of Aldermen next considered amending and repealing Section 2-152 of the Tunica Municipal Code as more fully outlined on the attached resolution as Appendix C. Mr. Ryals read the proposed Ordinance. Following a reading of the proposed ordinance which is attached hereto as Appendix C and a discussion of the same, Alderman Turner moved that the ordinance as read be adopted and approved by the Board of Aldermen. Alderman Hartsfield seconded the motion. The matter was put to a vote with the result follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, yea; Alderman Fullilove, yea; and Alderman Pierce, yea. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and adopted effective this the 16th day of November, 2021.

APPENDIX C – ORDINANCE RELATING TO RESIDENCY REQUIREMENT FOR THE CHIEF OF POLICE

The Mayor and Board of Aldermen next considered amending Section 2-153 of the Tunica Municipal Code as more fully outlined on the attached resolution as Appendix D. Mr. Ryals read the proposed Ordinance. Following a reading of the proposed ordinance which is attached hereto as Appendix D and a discussion of the same, Alderman Pierce moved that the ordinance as read be adopted and approved by the Board of Aldermen. Alderman Fullilove seconded the motion. The matter was put to a vote with the result follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, yea; Alderman Fullilove, yea; and Alderman Pierce, yea. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and adopted effective this the 16th day of November, 2021.

APPENDIX D – ORDINANCE RELATING TO BOND REQUIRMENT FOR THE CHIEF OF POLICE

The Mayor and Board of Alderman next discussed appointing a Chief of Police. By prior ordinance, the position of Chief of Police is appointed by the Board of Aldermen as contemplated by Section 21-3-3 of the Mississippi Code of 1972, as amended. Following the brief discussion, Alderman Turner moved that Kevin Hatton be appointed as Chief of Police for the Town of Tunica effective November 17, 2021, with his annual salary to be set at \$56,180. Chief Hatton shall give bond in the amount of \$50,000 as required by the laws of the State of Mississippi, and the recently amended ordinance of the Town of Tunica, as well as taken any required oaths of office, if any. Alderman Pierce seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Aldermen present, the Mayor declared the same carried and adopted.

With no other business, Alderman Fyfe moved to adjourn the meeting. Alderman Fullilove seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Aldermen present, the Mayor declared the same carried and adopted, and the meeting adjourned at approximately 3:45 p.m. this 16th day of November 2021.

Andrew T. Dulaney, Mayor

ATTEST:

Kate Scott Pennock, Town Clerk

APPENDIX A – ATTENDANCE SHEET

APPENDIX B – WATER ADJUSTMENTS

APPENDIX C – ORDINANCE RELATING TO RESIDENCY REQUIRMENT FOR THE CHIEF OF POLICE

APPENDIX D - ORDINANCE RELATING TO BOND REQUIRMENT FOR THE CHIEF OF POLICE