

REGULAR FIRST TUESDAY AUGUST 2023, MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN

BE IT REMEMBERED that Tuesday, August 1, 2023, being the first Tuesday of August, 2023, and the day fixed by Board order for holding the first 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	Present
Town Attorney Richard W. Ryals, II	Absent
Interim Police Chief Richard Veazey	Present
Operations Manager Thomas J. Robinson, III	Present
Public Works Supervisor Reggie Griffin	Present
Town Chaplain Danny Smith	Present
*Via telephone – as indicated.	

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. Danny Smith led in prayer for the Town.

The Board considered the minutes from the July 18, 2023, meeting. Alderman Pierce moved to approve the minutes as written and previously provided to the Board of Aldermen. Alderman Hartsfield 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 Board then considered the claims for July 2023. It was noted that a summary of the claims was previously provided to the Board. After a brief discussion of the claims and a review by Mayor Dulaney, Alderman Hartsfield moved to approve the claims as presented. 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.

#### APPENDIX B: JULY CLAIMS

##### CITIZENS/PRESENTATIONS/HEARING:

The Mayor and Board of Aldermen next considered the state of the house and property located at 1150 Beatline Road. The Mayor advised that based on the Board's prior action, notice has been posted at the property and otherwise given as required by law in order for the Board to hold a hearing on the condition of the property. Information relating to the given of the notice was received and directed to be included with the minutes. Mayor Dulaney advised that he has been to the lot earlier today. He presented pictures which depict the current state of the property. Based on the pictures and information provided, it appeared that the property is in a state of uncleanness to a degree which constitutes a menace to the public health, safety and welfare of the community. The public hearing was opened to the public and it was announced that the Board was prepared to hear comments from anyone present who desired to comment. No one appeared to comment on the property. There being no public comments, Alderman Turner moved that the public hearing be closed. Alderman Pierce seconded the motion. The public hearing was closed. 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.

#### APPENDIX C: NOTICE(S) GIVEN FOR 1150 BEATLINE ROAD

The Mayor and Board of Aldermen next considered the state of the house and property located at 1168 Beatline Road. The Mayor advised that based on the Board's prior action, notice has been posted at the property and otherwise given as required by law in order for the Board to hold a hearing on the condition of the property. Information relating to the given of the notice was received and directed to be included with the minutes. Mayor Dulaney advised that he has been to the lot earlier today. He presented pictures which depict the current state of the property. Based on the pictures and information provided, it appeared that the property is in a state of uncleanness to a degree which constitutes a menace to the public health, safety and welfare of the community. The public hearing was opened to the public and it was announced that the Board was prepared to hear comments from anyone present who desired to comment. No one appeared to comment on the property. There being no public comments, Alderman Turner moved that the public hearing be closed. Alderman Pierce seconded the motion. The public hearing was closed. 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.

#### APPENDIX D: NOTICE(S) GIVEN FOR 1168 BEATLINE ROAD

Next, the Mayor and Board of Aldermen recognized five employees for having served the Town continuously for a period of five years. Mayor Dulaney recognized each individual and presented a five year certificate. The employees recognized were: Michael Office, Thomas J. Robinson, Mary Green, Terence Hampton and Kervin Patterson. Following the presentation, the Board members thanked each employee for their hard work and service to the Town.

OLD BUSINESS: None.

REPORTS:

- Police Report: Interim Police Chief Richard Veazey reported for the police department. Mr. Veazey reviewed the report and discussed the activities of the Police Department over the month of July. Mr. Veazey again discussed the status the new car with the Board. Following the report, Mr. Veazey was thanked for the information.
- Public Works: Mr. Robinson discussed various water leaks and sewer issued which have been addressed. Mr. Robinson briefly discussed the grease problem the Town is experiencing. Mr. Griffin reviewed the public works issues with the Board. The crew continues to work on grass cutting and has the speed bumps installed on Delta Street. Following the discussion, Mr. Robinson and Mr. Griffin were thanked for their reports.
- Tunica Main Street: Ms. Withers was unable to be at today's meeting. Mr. Dulaney gave a brief update of the Tunica Main Street activities. No action was taken.

The Board of Aldermen next discussed and considered authorizing and approving a Memorandum of Understanding and related documents between the Town and Mississippi Department of Finance & Administration for a \$500,000.00 grant for paving and other related documents. The funds are being allocated pursuant to Section 28(aa) of House Bill 603, 2023 Regular Legislative Session. Following the discussion, Alderman Pierce moved that the Memorandum of Understanding (MOU) (and other documents) for the paving grant in the amount of \$500,000.00 be authorized and approved, that a bank account with Planters Bank & Trust be opened and established for these specific grant funds, and that Andrew Dulaney and Kate Scott Pennock, Mayor and Clerk respectively, be authorized and directed to execute and deliver the MOU and other documents needed for the grant. The new bank account shall have Andrew Dulaney (Mayor), Daniel Pierce (Vice Mayor) and Kathryn C. Pennock (Town Clerk) as authorized signatories. Two signatures are required on all checks written. Alderman Hartsfield 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.

APPENDIX E – MEMORANDUM OF UNDERSTANDING AND RELATED DOCUMENTS - TOWN & DFA (HOUSE BILL 603)

The Mayor and Board of Aldermen next discussed the audit for FY22. The Board was advised that an audit engagement letter needs to be approved between the Town of Tunica and Bridgers, Goodman, Baird & Clarke, CPAs. The form of the proposed agreement was provided at the meeting. Following a discussion, Alderman Hartsfield moved that the proposed engagement letter be approved and that Andrew Dulaney, Mayor, be authorized to execute and deliver the same. Alderman Fullilove seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Alderman present, the Mayor declared the same carried and adopted.

#### APPENDIX F – AUDIT ENGAGEMENT LETTER

The Mayor and Board of Aldermen next discussed the schedule for adopting a budget for FY24. The Board was reminded that it is required to hold a public hearing prior to the adoption of the budget. The initial hearing is required to be held outside of normal working hours. If the budget and tax levy are not adopted at this hearing which they cannot be, the Board is required to give notice for the meeting when the budget and tax levy will be adopted in the same manner as the initial public hearing. So, it was proposed that notice be posted at Town Hall and in three additional public places that of a hearing on the proposed budget as well as for the meeting when the budget and tax levy will be considered. The budget hearing will be August 22, 2023, at 5:30 p.m. at Town Hall and the budget and tax levy will be considered for adoption on September 5, 2023, at 3:00 p.m. at Town Hall. The form of the notices to be posted shall be included in the minutes. Alderman Fyfe moved that the hearings be set as indicated above and on the form notices which will be included in the minutes. Alderman Turner seconded the motion. Thereupon, the matter was put to a vote and the same having received the unanimous affirmative vote of all Alderman present, the Mayor declared the same carried and adopted.

#### APPENDIX G: NOTICE FOR AUGUST 22, 2023, PUBLIC HEARING AND SEPTEMBER 5, 2023, PUBLIC HEARING

The Mayor and Board next discussed and considered the following official travel request:

- Christy Young (Municipal Court Clerk Fall Training) - (September 20-22, 2023, Philadelphia, MS).

Following a discussion of the travel and a finding that the best interest of the Town will be served and benefited from the educational opportunities afforded to the those traveling, Alderman Turner moved that the reference travel request be approved. And, to the extent requested, a travel advance shall be made as authorized by law. 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.

The Mayor and Board of Aldermen next discussed the Town of Tunica participating in a Capacity Research Equity Opportunity Pilot Program (CREOPP) which will be led by the University of Memphis based on a grant from the Delta Regional Authority (DRA). Mayor Dulaney discussed the program with the Board including outlining the obligations of the Town. After a discussion of the matter and a brief review of the proposed MOU, Alderman Fyfe moved that the Board approve the MOU for the program in the form as is attached hereto and that Mayor Dulaney be authorized and directed to execute and deliver the same for and on behalf of the Town. 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.

#### APPENDIX H: MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF TUNICA AND UNIVERSITY OF MEMPHIS FOR THE CREOPP PROGRAM

The Mayor and Board of Aldermen discussed the development and construction of a Town of Tunica Dog Park located 1327 School Street (tax parcel – 4119-32040-0014000). After a discussion, Alderman Turner moved that the Town of Tunica moved forward with the proposed dog park project and that a contract be approved with Neel-Schaffer, Inc. for professional engineering services associated with planning, designing and construction oversight for the same. The form of the contract is including with the minutes. The estimated fee is \$10,000.00. Andrew Dulaney is authorized to execute and deliver the contract for the Town. Alderman Hartsfield 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.

#### APPENDIX I: ENGINEERING CONTRACT WITH NEEL-SCHAFFER, INC. FOR THE DOG PARK

The Mayor and Board of Alderman discussed the donation to the Town of Lot 5, Block 6, Abbey & Howard Subdivision number 3 – tax parcel – 4119-320100009600. Mayor Dulaney advised that the landowners have offered to donate the lot to the Town of Tunica. As the lot has a drainage ditch through the middle of it and could be useful to the Town, Alderman Turner moved that the Town accept the donation of the property. Attorney Ryals is authorized to draft the necessary closing documents for the donation. 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 of Alderman next discussed the house and lot located at 1150 Beatline Road and the house and lot located at 1168 Beatline Road. These were the subject of the public hearings

held earlier in the meeting. After a discussion the Board adopted the Resolutions which are included in the minutes as appendix J.

APPENDIX J: RESOLUTION CONCERNING THE CLEAN UP OF THE HOUSE AND LOTS LOCATED AT 1150 BEATLINE ROAD AND 1168 BEATLINE ROAD

The Mayor and Board of Alderman next discussed a new fence as part of the tennis court/pickleball project. The Board was advised that the Board has received two bids for the project. The new fence was included as part of the funds budgeted for the project. After a discussion, Alderman Fullilove moved that the Board approve and accept the lowest proposal which was from Bluff City Fence Co. in the amount of \$29,417.45. 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.

APPENDIX K: QUOTES/PROPOSALS FOR FENCE BIDS – TENNIS/PICKELBALL COURT

The Mayor and Board of Alderman discussed the funds received from Mid-State Opportunities, Inc. relating to paying utility bills for specific customers. The Board was advised that it was recommended to the Town that the funds be deposited into a separate account and used monthly to pay the bills which are authorized. Ms. Pennock has discussed the matter with representatives from Bridgers, Goodman, Baird and Clarke, CPAs and this was their recommendation. For any accounts which are closed, the funds will be returned to Mid-State Opportunities, Inc. Alderman Turner moved that the Board of Alderman authorize and approve opening a new account at Planters Bank and Trust. The account shall require two signatures being the Mayor (Andrew Dulaney), Vice Mayor (Dan Pierce) or Clerk (Kathryn C. Pennock). 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.

The Board was advised that certain exhibits for the February 1, 2022, meeting were inadvertently not included in the minute book when the minutes were recorded. In order to clarify the record, Alderman Turner moved that the missing exhibits from the February 1, 2022, meeting (the state contract pricing for the purchase of truck) be included as appendix L to this meeting. Alderman Fullilove. 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.

APPENDIX L: FEBRUARY 1, 2022, MEETING EXHIBITS

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 Pierce 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 police personnel (two possible new officers and the chief's position) and the possible acquisition of real property (1015 River Road) (the "Executive Session Matter").

Based on this, Alderman Pierce moved that the Mayor and Board of Aldermen hold an executive session to discuss, consider and act on the Executive Session Matter. Alderman Fyfe 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, all members of the Board of Aldermen, Town Clerk Pennock, and Mr. Veazey.

During the executive session, Mr. Veazey discussed two candidates for new police officers. No action was taken. Mr. Veazey left the meeting. The Board discussed delaying acting on a new chief for a period of approximately 6 months while Mr. Veazey evaluates the department and gets the equipment upgraded, etc. The Board discussed 1015 River Road which has been offered for sale to the Town. The Board took no action on these matters but informally advised that they would not act on the Chief of Police position for six months or until further action.

Following the discussion, Alderman Turner moved to leave executive session. 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 the Board ended the executive session and returned to open meeting. Mayor Dulaney announced the actions taken during executive session.

With no other business, Alderman Turner moved to adjourn the meeting. 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, and the meeting adjourned this 1<sup>st</sup> day of August 2023.

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Andrew T. Dulaney, Mayor

ATTEST:

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Kate Scott Pennock, Town Clerk

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