

REGULAR THIRD TUESDAY SEPTEMBER 2023, MEETING
OF THE MAYOR AND BOARD OF ALDERMEN

BE IT REMEMBERED that Tuesday, September 19, 2023, being the third Tuesday of said month and the day fixed by Board order for holding the second 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	Absent
Alderman Adam Fullilove	Present
Alderman Daniel M. Pierce	Absent
Town Clerk Kate Scott Pennock	Present
Town Attorney Richard W. Ryals, II	Present
Interim Police Chief Richard Veazey	Present
Operations Manager Thomas J. Robinson, III	Present
Public Works Supervisor Reggie Griffin	Present
Town Chaplain Danny Smith	Present
*Participated via teleconference.	

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. Mr. Smith led in prayer.

The Board considered the minutes from the September 5, 2023, meeting. Alderman Turner 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.

REPORTS:

- Police Report: Mr. Veazey reported for the Police Department. Mr. Veazey updated the Board on Police activities including updating the Board on the Beatline Road matters with the two houses being vandalized. Additionally, Mr. Veazey advised that the Rosa Fort

Homecoming Parade will be September 29 beginning at 5:00 p.m. Mr. Veazey was thanked for his report.

- Public Works: Mr. Robinson updated the Board regarding water and sewer operations. Mr. Robinson advised that they have been repairing water leaks and handling sewer pump station issues. Mr. Griffin reviewed the projects that public works is currently handling. Additionally, Mr. Griffin advised that the Tunica County Road Department will clean out the ditch immediately north of Piggly Wiggly as soon as they get a request. Following their report, they were thanked for the information.
- Tunica Main Street: Ms. Withers updated the Board with regard to Main Street issues. Ms. Withers discussed the recent Fall Shopping Social. It was a great success, and the food truck was a big hit. Ms. Withers discussed the Small-Town Saturday event that will be held October 14, 2023. Ms. Withers updated the Board with regard to the regional conference she recently attended – Destination Downtown. No action was taken, and Ms. Withers was thanked for her report.
- Code Enforcement: David Graves gave an update on code enforcement issues. Mr. Graves and Mr. Robinson discussed the action taken by the Court against Waller Auto. Mr. Graves was thanked for the information.
- Danny Smith advised of the upcoming community events. He is working on the Veterans Day program. As November 11 is on a Saturday, the program will most likely be held on Monday, November 13, 2023. Additionally, he advised that the Fire Department will host their annual kids' night on October 8th. Mr. Smith was thanked for his report.

It was announced that the budget and tax levy had previously been posted as required by law. A copy of the budget and tax levy for fiscal year 2024 along with an affidavit relating to the posting of the same was received and directed to be included in the minutes. Alderman Fullilove moved to receive and approve affidavit relating to posting of the FY 2024 budget and tax levy. 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 B: FY 2024 BUDGET AND TAX LEVY & AFFIDAVIT OF POSTING OF THE SAME

Mayor Dulaney updated the Board with regard to the Senior Outreach Committee. It will host its first event on October 17, 2023, at the RC Irwin Library. The Library will present a program on how to effectively use a cellphone.

The Mayor reminded the Board that it previously approved a contract for surveying services at the Board's July 18, 2023, meeting. The contract has been finalized and signed. On motion duly made, seconded and carried, the approved and signed professional services contract was directed to be received and included in the minutes as follows.

APPENDIX C: CONTRACT FOR PROFESSIONAL SURVEYING AND ENGINEERING SERVICES

The Mayor and Board of Alderman discussed the purchase of a new leaf machine. The current leaf machine is well over 10 years old and has been experiencing various breakdowns in the last several years. The repairs can be costly. More importantly, having the machine out of service causes the public works crew to get significantly behind. This can result in ditches not draining properly, etc. After the discussion, Alderman Turner moved that the Board advertise as required by law for the purchase of a new leaf machine and that the resolutions attached hereto be adopted. 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 D: RESOLUTION(S) RELATING TO RECEIVING BIDS FOR THE PURCHASE OF NEW LEAF MACHINE

The Mayor and Board of Aldermen next discussed applying for a JAG Grant. The Board considered the resolution(s) which are attached hereto relating to authorizing North Delta Planning and Development District to provide the necessary professional services for the Town of Tunica to make the application and to authorize them to make said application for the Town. After a discussion of the matter, Alderman Hartsfield moved that that resolution(s) attached hereto as Appendix E be approved and that North Delta Planning and Development District be authorized to proceed with completing and filing said application for the JAG FY2022 Grant for the Town of Tunica. Alderman Turner 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: RESOLUTION(S) RELATING TO JAG FY2022 GRANT

The Mayor and Board of Aldermen next discussed adopting a body armor policy to comply with the JAG FY 2022 grant. After a discussion of the matter, Alderman Turner moved that the Board of Aldermen adopt the body armor policy in the form and substance as is attached hereto as Appendix F which policy shall modify and supplement any existing body armor policies. 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 F: BODY ARMOR POLICY

The Mayor and Board of Aldermen next discussed various police cars which are no longer useful and used by the Police Department. Mr. Veazey discussed the state of the two cars. Both cars

have given the Department trouble for the last several years. One of the cars (2012) has had the motor replaced and had other issues. The 2010 car at times will stop running and can be hard to start. Given that the Town has adequate other police vehicles and the potential cost of continuing to maintain these two cars, Alderman Turner moved that the two vehicles listed on the attached Appendix G be deemed surplus and transferred to Shaw, MS, or, if Shaw, MS does not want them, that the cars can be sold at auction and the proceeds included in the Police Department's budget to be used towards the purchase of a new car during FY24. 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 G: LISTING OF TWO POLICE CARS DECLARED SURPLUS
WHICH WILL BE TRANSFERRED TO SHAW, MS OR SOLD

The Mayor and Board of Aldermen discussed the fall decorations for Downtown. After a discussion, Alderman Hartsfield moved that the Board authorize and approve spending up to \$2,500 towards fall decorations for Downtown – hay bales, corn stalks, pumpkins, mums, etc. 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 next discussed and considered the following official travel requests:

- Laura Withers and Kate Scott Pennock, DRIVE Program, Memphis, TN, October 22-24, 2023.

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 Hartsfield moved that the reference travel request be approved. And, to the extent requested, a travel advance shall be made as authorized by law. Alderman Turner 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 considered and discussed making various appointments as they have historically done. The following individuals were considered for the positions as indicated effective October 1, 2023, with said individuals to serve for the time indicated or, until his/her successor is designated:

Position:

Utility/Purchase Clerk

Street Supervisor/Director of Operations

Water/Op/Bldg Supervisor

Municipal Court Judge

Name:

Mary Green

Reggie Griffin

Thomas J. Robinson

James McGarrh (10/1 to 12/31/23)

Charles B. Graves, Jr. (1/1 to 9/30/24)

Municipal Court Prosecutor

Lindsey Klimek Jones (1/1 to 9/30/24)
Mr. Graves will continue to serve until
1/1/2024 under his existing agreement

After a review of the various positions and proposed individuals to fill said positions, Alderman Turner moved that the individuals named above be appointed to the positions as indicated. 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 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 Hartsfield 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, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. 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 personnel (possible termination of an employee from the public works, hiring a full-time employee – making the Main Street position fulltime, moving an employee from public works to sewer, real property issues, and possible litigation) (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 Hartsfield seconded the motion. The matter was put to a vote with the result as follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. 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 who were present, Town Clerk Pennock, and Mr. Ryals. Mr. Robinson and Ms. Withers were present for their applicable parts of the executive session.

During the executive session, Mayor Dulaney discussed issues with Devonta Robinson. Mr. Robinson has been reprimanded on several occasions. Mr. Griffin has recommended that Mr. Robinson be terminated. Based on this recommendation and the information provided, Alderman Hartsfield moved that Mr. Griffin’s recommendation be accepted, and Mr. Robinson terminated. 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, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and approved.

The Mayor next advised that Kenneth Veazey has been working with the public works department. It was recommended that he be transferred to the sewer department. Alderman Turner moved that Mr. Veazey be transferred from the public works department to the sewer department. Alderman Hartsfield seconded the motion. The matter was put to a vote with the result as follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and approved.

Mayor Dulaney discussed a request that has been made by Tunica County relating to the real property owned by the Town of Tunica across from Aaron E. Henry Clinic. Subject to survey and site plan, the Board generally agreed to the request. It will be further considered when additional information becomes available.

The Mayor and Board discussed the contract for the resurfacing of the tennis courts. Following the discussion, no action was taken. Mayor Dulaney will follow up with the contractor and keep the Board updated.

The Mayor and Board of Aldermen next discussed making the Tunica Main Street a fulltime position. Virtually all Main Street Programs have a full-time director. In addition to Main Street activities, there are numerous other responsibilities that Mayor Dulaney discussed that need attention. Laura Wither currently serves as the Main Street Director. After a discussion of the position and its duties/responsibilities by Mayor Dulaney, Ms. Withers discussed her expectations and offered to respond to any questions. Following the discussion, Ms. Withers was excused from the meeting. After a discussion, Alderman Turner moved that Laura Withers hours and status be increased from parttime (20 hours per week) to fulltime (40 hours per week) at an annual salary of \$38,000 (\$XX per hour) beginning October 1, 2023. Alderman Hartsfield seconded the motion. The matter was put to a vote with the result as follows: Alderman Turner, yea; Alderman Hartsfield, yea; Alderman Fyfe, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. The matter having received the majority affirmative vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and approved.

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, absent; Alderman Fullilove, yea; and Alderman Pierce, absent. 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 the executive session.

With no other business, Alderman Turner moved to adjourn the meeting. 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, and the meeting adjourned this 19th day of September 2023.

Andrew T. Dulaney, Mayor

ATTEST:

Kate Scott Pennock, Town Clerk

APPENDIX A:	ATTENDANCE SHEET
APPENDIX B:	FY 2024 BUDGET AND TAX LEVY & AFFIDAVIT OF POSTING OF THE SAME
APPENDIX C:	CONTRACT FOR PROFESSIONAL SURVEYING & ENGINEERING SERVICES
APPENDIX D:	RESOLUTION(S) RELATING TO RECEIVING BIDS FOR THE PURCHASE OF A NEW LEAF MACHINE
APPENDIX E:	RESOLUTION(S) RELATING TO JAG FY 2022 GRANT
APPENDIX F:	BODY ARMOR POLICY
APPENDIX G:	LISTING OF TWO POLICE CARS DECLARED SURPLUS WHICH WILL BE TRANSFERRED TO SHAW, MS OR SOLD