

REGULAR FIRST TUESDAY OCTOBER 2022, MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN

BE IT REMEMBERED that Tuesday, October 4, 2022, being the first Tuesday of said month 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	Present
Police Chief Kevin Hatton	Present
Operations Manager Thomas J. Robinson, III	Absent
Public Works Supervisor Reggie Griffin	Present
Town Chaplain Danny Smith	Present

\*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. Chaplain Smith led in prayer.

The Board will consider minutes from the September 20, 2022, meeting during the October 18, 2022, meeting.

The Board then considered the claims for September 2022. It was noted that a summary of the claims was previously provided to the Board. Additionally, all claims were available for review by the Board. After a brief discussion of the claims and a review by Mayor Dulaney, Alderman Pierce moved to approve the claims as presented. 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 – SEPTEMBER CLAIMS

## REPORTS:

Police Report: Police Chief Hatton reported for the Police Department. Investigator Cheslock and Patrolman Redmond have both been to training. Both are back. Chief Hatton presented quotes for a Ford truck and a Dodge Ram truck. The Dodge Ram is the lowest priced vehicle and will be adequate for the needs of the Town. Based on Chief Hatton's recommendation and as the Dodge is the lower prices vehicle, Alderman Turner moved to approve the purchase of a Dodge Ram truck plus and additional costs to make it pursuit ready. 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. Following a review of his report, Chief Hatton was thanked for the information.

- Public Works: Reggie Griffin, reported on public works and other operations. Mr. Robinson was absence due to a prior engagement. Mr. Griffin advised that the striping machine has been received and is being used. Additionally, several of the projects for road and drive repairs due to the Town having repaired water leaks have been completed. Following the report, Mr. Griffin was thanked for the information.
- Tunica Mainstreet: The Board received an update relating to the ongoing Main Street projects and programs. The following events were announced: Small Town Saturday/Touch-A-Truck is October 22<sup>nd</sup>, Halloween is October 31<sup>st</sup>, the Holiday Shopping Social is set for November 10<sup>th</sup>, and the Christmas Tree Lighting will be December 1<sup>st</sup>.
- Community Events: It was announced that the Veterans Day Program will be held November 11, 2022 at 11:00 a.m. Mr. Smith will work to get an advertisement placed in the Tunica Voice. The information is posted around town on the Town's community calendar as well as has been included on the Town's website. Prior to the event, a text alert will be sent out.

The Mayor and Board of Alderman discussed and considered approving the engineering contract with Neel-Schaffer, Inc. for the MDOT-TA project. A copy of the contract was prior to the Board members. Prior to final execution, the contract will need to be submitted to MDOT for its concurrence. Alderman Turner moved to accept and approve the engineering contract with Neel-Schaffer, Inc. for the MDOT-TA project. Andrew Dulaney, Mayor, shall be and is hereby authorized to execute and deliver the engineering contract once MDOT concurs with the same. 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 C – ENGINEERING CONTRACT – NEEL SCHAFFER, INC. –(MDOT)

The Mayor and Board of Alderman will consider and act on the property and liability insurance proposal at a later time to be determined before October 12, 2022.

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 the leaks have been confirmed and that each has been repaired/addressed by the customer. Mr. Robinson has received the required information for each repair and provided the Board with adjustment recommendations prior to the meeting for review. Alderman Pierce moved the adjustments be approved as presented and that the necessary Town employees be authorized to take such action as is reasonably necessary to adjust the indicated customers water bills as the customers did not receive the benefit of water/sewer. Alderman Fullilove 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.

#### APPENDIX D – WATER ADJUSTMENTS

The Mayor and Board next considered and discussed sharing the cost of the purchase of a new Christmas tree for downtown. The cost of the tree is \$7,000.00. Tunica Mainstreet and the Town of Tunica will share cost and pay \$3,500.00. each for the purchase. Alderman Pierce moved to approve the purchase of a Christmas tree for downtown, cost to be shared with Tunica Mainstreet. 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.

The Mayor updated the Board of Alderman that the Municipal and County Water Infrastructure (MWCI) grant application for replacement of water lines was submitted on Wednesday, September 27, 2022. Specifically, the Mayor thanked Ms. Pennock and Mr. Robinson for their hard work to get this timely filed. Due to the complexity of the application, many cities and towns will not get their applications filed. The deadline is September 30. North Delta Planning & Development advised that the Town successfully filed the first application that they were aware of.

The Mayor and Board next considered and discussed ratifying and approving the bond for Chief of Police. As Tunica is a Code Charter City, the Chief of Police is required to give bond in an amount established by the Board of Aldermen which shall be not less than \$50,000. (Section 21-21-1). The bond for Kevin Hatton, Chief of Police was presented in the amount of \$50,000. Alderman Turner moved that the amount of the bond for the Chief of Police be set at \$50,000, and that the bond as presented by Mr. Hatton be approved. Said bond shall be filed and recorded in the office of the Town Clerk (25-1-19). In addition, it was moved that the bonds for the other town officials/employees be received, approved and included in the minutes as well as recorded by the Clerk. 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 – BONDS

Mayor Dulaney next advised that the Town's application for a MS Justice Assistance Grant (JAG) was approved. The award documents have been received and are required to be approved by the Town and signed by the Mayor. Board of Alderman considered and discussed accepting the grant award for the JAG Grant. The funds will be used to purchase body cameras and radios for the police department in the amount of \$5,000.00. Of the \$5,000.00 the Town will be responsible for \$1,250.00. Alderman Fullilove moved that the JAG Grant be approved and accepted, and that Andrew Dulaney, Mayor, be authorized and directed to sign the grant agreement and all other related grant documents. 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 F – JAG GRANT DOCUMENTS

The Board discussed and considered a two percent (2%) increase to water/sewer/garbage rates. The Board discussed the increased cost for the operation of the system due to the increase cost of utilities (electricity), gas, chemicals, etc. Additionally, the employees have been given raised to try and keep up with inflation. Alderman Pierce moved to approve and act on a 2% increase to water/sewer/garbage rates with said increase to be effective January 1, 2023. Andrew Dulaney and Kate Scott Pennock, Mayor and Clerk respectively, were authorized to take such additional actions and give such notices as are required in order to implement this increase. The Board will monitor and review its rates annually to insure that an adequate rate is being charged. 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 of Aldermen next discussed Halloween. In prior years the Board has adopted a curfew and closed streets due to the number of individuals (including a significant number of younger children being out and walking). After a discussion, Alderman Turner moved that the Board adopt and approve an ordinance for Halloween 2022 in the form and substance as attached on hereto. 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 G – HALLOWEEN 2022 ORDINANCE

The Board will consider the issue of the municipal compliance report at the Board's October 18, 2022, meeting.

The Board of Aldermen next discussed the investment of surplus funds. The Board reviewed and discussed how the Town's surplus funds are invested. Currently, the Town solicits certificate of deposit rates from each bank for the investment of its surplus funds. The most recent rates have been higher than in the past but significantly lower than the 1 or 2 year treasury yields. Section 21-33-323 of the Mississippi Code of 1972, as amended, provides authority to invest surplus funds in various government backed investments including Treasury Bill. After a discussion of the matter, Alderman Pierce moved that the Board authorize and approve opening an account with First Security Bank through its Trust Department, and that Andrew Dulaney and Kate Scott Pennock, Mayor & Clerk respectively, be authorized to sign such documents and agreements as are necessary and required to open such accounts and to have the available surplus funds of the Town invested in Treasury bills, provide that the interest rates are higher than the current certificate of deposit rates. 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 Board briefly discussed setting zoning and permitting fees. Mayor Dulaney provided the Board with the proposed fees. The Mayor and Board specifically discussed the fee relating not medical cannabis. Following the discussion, Alderman Hartsfield moved to approve the zoning and permitting fees as discussed and outlined on the attached. The same shall be effective December 1, 2022. 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 – SCHEDULE OF ZONING & PERMITTING FEES

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

- Thomas J. Robinson to attend the MS Water Professionals Technical Training by MWEA in Vicksburg, MS – November 9-10, 2022.

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 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 Pierce moved that a closed determination be held to discuss whether an executive session is needed to be held and is appropriate. Alderman Hartsfield 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 personnel matters to include discussing each specific employee and his/her job duties, job performance and compensation (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, Board attorney and all members of the Board of Aldermen.

During the executive session, the Executive Session Matter was discussed. Specifically, Mayor Dulaney provided each Aldermen with a list of the Town’s employees. Mayor Dulaney briefly discussed and reviewed the job performance for each employee and made a recommendation for raises effective immediately. Following a discussion of the individual employees, Alderman Pierce moved that the recommendation be accepted and that effective the next pay period, the salaries for the employees to be set and approved as outlined in Appendix H. Alderman Hartsfield 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 approved.

#### APPENDIX I – LIST OF EMPLOYEES & SALARIES

Also, as part of this, the Board approved the compensation paid to Mr. Robinson from the Street Department to the Water Department.

Following the discussion, Alderman Turner moved to leave executive session. 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 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 Pierce 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 this 4<sup>th</sup> day of October 2022.

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Andrew T. Dulaney, Mayor

ATTEST:

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Kate Scott Pennock, Town Clerk

APPENDIX A – ATTENDANCE SHEET  
APPENDIX B – SEPTEMBER CLAIMS  
APPENDIX C – ENGINEERING CONTRACT-NEEL-SCHAFFER, INC. (MDOT)  
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