

**Minute Book 32**

**April 19, 2022**

**BOARD MEETING**

**OF THE**

**MAYOR**

**AND**

**BOARD OF ALDERMEN**

**OF THE**

**TOWN OF TUNICA, MISSISSIPPI**

**OFFICERS:**

**Mayor Andrew T. Dulaney**

**Alderman Lee B. Turner**

**Alderman Valerie Hartsfield**

**Alderman Rebecca P. Fyfe**

**Alderman Adam Fullilove**

**Alderman Daniel M. Pierce**

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**Town Attorney Richard W. Ryals, II**

**Town Clerk Kate Scott Pennock**

**Chief of Police Kevin Hatton**

**Town Chaplain Danny Smith**

REGULAR THIRD TUESDAY APRIL 2022, MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN

BE IT REMEMBERED that Tuesday, April 19, 2022, 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	Absent
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
Public Works Manager Reggie Griffin	Present
Operations Manager Thomas J. Robinson, III	Present
Town Chaplain Danny Smith	Present

\*Via telephone.

Others in attendance are listed on the attendance sheet. It was noted that Alderman Hartsfield was not able to attend as she is participating in the annual meeting of Planning & Development Districts on behalf of the Town.

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 considered the minutes from the April 5, 2022, meeting. Alderman Pierce moved to approve the minutes as written and previously provided to the Board. 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. Chief Hatton provided a report outlining the various activities for the Police Department over the last several weeks.

There being no further discussion or any questions for Chief Hatton, Chief Hatton concluded his report.

- **Public Works:** Mr. Robinson and Mr. Griffin reported on public works and other operations. Mr. Robinson reported that mini excavator has been delivered and is out in front of the building. Mr. Robinson discussed the water and sewer system. Mr. Griffin gave an overview of what the street crew has been working. Rivergate is the focus. Additionally, Mr. Griffin advised that the garbage truck is getting some much needed maintenance. Following the reports, Mr. Robinson and Mr. Griffin were thanked for the information.
- **Tunica Main Street:** Ms. Withers updated the Board on Rivergate and Main Street issues. Main Street sponsored a planning event which was coordinated by Ms. Withers and attended by various individuals interested in downtown. When the report on the planning session is issued, a copy will be made available for everyone to review. Ms. Withers discussed Rivergate and provided the Board members with a schedule of events.
- **Community Events:** Mayor Dulaney announced upcoming events held in May: National Day of Prayer-May 5, Animal Vaccination Day-May 7, Peace Officers Memorial Day-May 15 but tentatively May 17 for program, and Memorial Day-May 30.

Mr. John Ponder addressed the Mayor and Board of Alderman concerning the vote for the Town of Tunica to opt in or opt out of the Medical Cannabis Act. Mr. Ponder was advised that a decision has not been made at this time but that it would be discussed later in the meeting. Mr. Ponder was thanked for his comments.

The Mayor and Board also discussed the authorization of setting a public hearing for May 3, 2022, beginning at 3:00 p.m. to consider and adopt the District 1 Regional Hazard Mitigation Plan for 2022-2027. Alderman Turner moved to approve setting a public hearing for May 3, 2022, at 3:00 p.m. to hearing public comments concerning the District 1 Regional Hazard Mitigation Plan for 2022-2027 and to adopt 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 Aldermen present, the Mayor declared the same carried and adopted this the 19<sup>th</sup> day of April, 2022.

Mayor Dulaney updated the Board on the Mangum Building, The Columns and the Tate Log Cabin. The Mayor has spoken to Tobin Mangum about the progress on the Mangum Building and he is in the process of getting the deeds, insurance, etc. in order. Mayor Dulaney also advised the Board that he understands the owners of the Columns are working with their insurance company on the damage and the claim to have the home restored. Lastly, Mayor Dulaney has had several discussion with representatives of the Museum. The Museum Board is working on developing a long range plan. When more information is available, the Board will be updated.

Mayor Dulaney advised that the agenda items relating to DRA need to be continued. Based on the current schedule, the plans and specifications for the project should be finalized by the Board's May, 2022, meeting. Once these are finalized, they will be submitted to DRA for final approval at which time the Town will be in a position to solicit bids for the work. The Board will consider the matter at its next meeting.

The County has not finalized the agreements between the Town and County yet. As soon as these are finalized, the signed agreements will be provided to the Board to be included in the minutes.

The Board of Aldermen next discussed and considered declaring two police vehicles as surplus and authorize donating/transferring them to Como Police Department per their written request. This is authorized by Mississippi law including, but not limited to, Section 31-7-13(m)(vi). The description of each vehicle is as follows: 2012 Dodge Charger black and white VIN 2C3CDXAT0CH316294 (103,873 miles) and 2012 Dodge Charger black and white VIN 2C3CDXAT6CH316297 (72,488 miles). After discussion, Alderman Pierce moved to approve declaring the two police vehicles as surplus and authorizing the donation/transfer of the same to the City of Como. 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 B – REQUEST FOR SURPLUS VEHICLES

The Board of Aldermen next discussed and considered the engineering contract with Andy Richardson for paving of various roads and streets. Mayor Dulaney reported that he and Mr. Robinson have met with Mr. Richardson to review the scope of the project and get some estimated prices. The engineering fee that is proposed is 6% of the construction contract price which covers all aspects of the professional services needed. Alderman Pierce moved that the engineering contract with Andy Richardson be approved and that Mayor Dulaney be authorized to execute the same on behalf of the Town of Tunica.. 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 C – ENGINEERING CONTRACT

The Board of Alderman considered and discussed appointment of the Historic Preservation Commission for the Town of Tunica. It was noted that the Board has previously advertised for qualified individuals and received no responses. Mayor Dulaney advised that Ms. Jones is a licensed, practicing attorney. Mr. Webb is a former state aid road engineer. The other appointees discussed are longtime residents of the Town of Tunica interested in the historic

perseveration of Downtown. After a discussion, Alderman Turner moved that the following individuals be appointed to the Historic Preservation Commission:

<u>Position:</u>	<u>Name:</u>
At-Large (Mayor)	Lindsay Jones
Ward 1 (Lee B. Turner)	John Ruth
Ward 2 (Valerie Hartsfield)	Betty Ashe
Ward 3 (Rebecca Fyfe)	Carey Webb
Ward 4 (Adam Fullilove)	Jeff Horn
Ward 5 (Daniel M. Pierce)	Ellis Darby

Alderman Fullilove seconded the motion to appoint the above individuals as members of the Town of Tunica Historic Preservation Commission. 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.

The Mayor and Board of Alderman next considered and discussed acting on the Medical Cannabis act in the Town of Tunica. After discussion concerning the zoning issues created by the act, the Alderman Pierce moved to set a hearing for May 3, 2022, at 3:00 p.m. to consider opting out of all but the sale of cannabis and limit the sale of cannabis to the commercial district along the highway corridor. Alderman Fullilove seconded the motion. A notice of the public hearing will be posted in Town Hall. 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 D – NOTICE OF PUBLIC HEARING

With there being no other business, Alderman Turner moved to adjourn the meeting. 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, and the meeting adjourned this 19<sup>th</sup> day of April 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 – REQUEST FOR SURPLUS VEHICLES  
APPENDIX C – ENGINEERING CONTRACT  
APPENDIX D – NOTICE OF PUBLIC HEARING

**BOARD MEETING  
ATTENDANCE SCHEDULE  
3:00 P. M.  
APRIL 19, 2022**

NAME	EMAIL/ORGANIZATION
1. <u>Vivian Shelton</u>	<u>CIT</u>
2. <u>John Ponder</u>	<u>John.ponder270@gmail.com</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____

## *Como Police Department*

*Faye Pettis, Chief*

*Ricky Ray, Interim Chief*

*Tammy Campbell, Court Clerk*

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*Post Office Box 118  
103 North Main Street  
Como MS 38619  
Phone: 662-526-9647  
Fax: 662-526-0210*

April 4, 2022

**Tunica Police Department  
1196 Edwards Ave.  
Tunica, MS 38676**

**Chief Kevin Hatton**

**Mayor Everette Hill of the Town of Como and the Interim Chief of Police Ricky Ray of the Como Police Department is in dire straits for some good quality police vehicles. It has come to our attention that you have two 2012 Dodge Chargers in your inventory that you are willing to donate. We are asking your department to donate the two Dodge Chargers that was previously mentioned to our department.**

**We are trying to serve and protect the citizens of Como, and in order to keep our community safe we need reliable transportation. We want to thank you in advance for any help you may be able to give us with the donation of the vehicles. If you have any questions please feel free to contact us at the number provided.....**

**Thank you**

**Mayor Everette Hill, Mayor  
Ricky Ray, Interim Chief of Police**



## TOWN OF TUNICA PAVING

**School Street (Delta to Marie)** \$ 132,000.00

(Asphalt Milling, Base Repairs, 1.5 in. of Asphalt Surface)

**Marie Street (School to Hospital)** \$ 94,000.00

(Asphalt Milling, Base Repairs, 1.5 in. of Asphalt Surface)

**Sycamore Street (Kenny Hill to Hospital)** \$ 110,000.00

(Asphalt Milling, Base Repairs, Rebuild Failed Area, 2 in. of Asphalt Surface)

**Cummins Avenue (Mockingbird to Marie)** \$ 127,000.00

(Asphalt Milling, Base Repairs, 2 in. of Asphalt Surface North of Chestnut and 1.5 in. South of Chestnut)

Mobilization \$ 50,000.00

Traffic Control \$ 25,000.00

Total of Construction \$ 538,000.00

5% Contingencies \$ 26,900.00

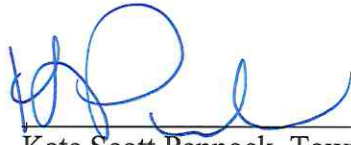
Engineering \$ 43,040.00

**Project Total = \$ 607,940.00**

NOTICE OF INTENT FOR VOTE TO BE HELD REGARDING OPTING OUT  
OF ALLOWING CULTIVATION AND PROCESSING OF MEDICAL CANNABIS AND  
CANNABIS PRODUCTS IN THE TOWN OF TUNICA, MISSISSIPPI

Notice is hereby given that the Mayor and Board of Alderman of the Town of Tunica, Mississippi intend to hold a vote regarding opting out of the cultivation and processing of medical cannabis and cannabis products within the Town of Tunica, Mississippi pursuant to Section 30 of the Mississippi Medical Cannabis Act. This vote is scheduled to occur during the regular May meeting of the Mayor and Board of Alderman to be held on May 3, 2022 at 3:00 P.M. in the Board room at Town Hall, 909 River Road, Tunica, Mississippi.

Dated: This the 19<sup>th</sup> day of April, 2022.



Kate Scott Pennock, Town Clerk