

**REGULAR THIRD TUESDAY OCTOBER
MEETING OF THE MAYOR AND BOARD OF ALDERMEN**

BE IT REMEMBERED, that Tuesday, October 15, 2019 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 Charles M. Cariker	Present
Alderman John A. Graves Jr.	Present
Alderman Brad Beach	Absent
Alderman Andrew Dulaney	Present
Alderwoman Brooks Taylor	Present
Alderman Billy Willis	Present
Town Clerk Kate Scott Pennock	Present
Town Attorney Charles B. Graves Jr.	Present
Police Chief Michael Nichols	Present
Investigator Chris Cheslock	Absent
Street Supervisor Kelvin Cooke	Present
Operations Manager Thomas J. Robinson, III	Present
Town Chaplain Danny Smith	Present

Others in attendance are listed on the attendance sheet.

APPENDIX A – ATTENDANCE SHEET

Mayor Cariker called the meeting to order at 3:00 and led in the Pledge of Allegiance. Chaplain Smith led in prayer.

The Board considered the minutes from the meeting October 1, 2019. Alderman Willis moved to approve the minutes as written, Alderman Dulaney seconded, and the motion was unanimously adopted and approved by all members present.

David Graves and Sheriff Hamp joined the meeting at 3:03 p.m.

REPORTS:

- Alderman Graves reported for the Planning Commission.
- Chief Nichols reported for the police department.
- Kelvin Cooke and Thomas Robinson reported for public works department.
- David Graves, Code Enforcer, reported on citations issued and court appearances on Monday, October 21, 2019.
- Laura Withers reported for Tunica Mainstreet.

Citizen, Jerry Keys, addressed the Mayor and Board requesting an extension for relocating his business which is located inside the town limits. No action was taken.

Under old business, the Mayor and Board considered and discussed assessing the cost incurred by the Town of Tunica to clean up the Nickson Properties as contemplated by Section 21-19-11 of the Mississippi Code of 1972, as amended. The Board has previously given the required notices and held various hearings relating to the Nickson Properties (6170 Fox Island Road and 856 Magnolia). As part of the Board's prior action, the Nickson Properties were determined to be in need of clean up as the same were deemed a menace to the public health and safety of the area. The Board is authorized to adjudicate the actual cost and a penalty of up to \$1,500 or 50% of cost of the cleanup (whichever is more). The Town paid \$7,500.00 to Tracy Mallett to have property secured in compliance with code of ordinance and as authorized by Section 21-19-11 of the Mississippi Code of 1972, as amended. Alderman Dulaney moved that the Board resolve and declare that an assessment of \$7,500 be made against the Nickson Properties as authorized by Section 21-19-11 (3) and that the same be collected and included as a municipal ad valorem tax. The Board does not

impose any penalty as it is authorized to do, just an assessment of \$7,500 for the actual cost incurred by the Town. Said assessment shall be added to the tax roll. Alderman Graves seconded the motion. The matter was put to a roll call vote with the following results: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, abstained. The matter having received the majority affirmative vote of the Board of Alderman, the Mayor declared the same carried and adopted.

The Board considered payment of \$197.50 to AMS for court collection fees. Alderman Dulaney made a motion to approve payment to AMS for court collection fees; Alderman Willis seconded, and the motion was adopted and approved.

APPENDIX B – AMS INVOICE

The Mayor and Board discussed and considered the Halloween Curfew Order which will begin at 7:30 p.m. on October 31, 2019 and continue until daylight on November 1, 2019. In addition, School Street will be blocked from vehicle travel from Hickory Ln. down to Academy Dr. allowing for the safety of children. Cross traffic will be allowed on Beatline Rd. and Academy Dr. School Street will be open only for foot traffic and low speed vehicles that are registered with the Town of Tunica. This will be in effect 4:30 p.m. until 7:30 p.m. Alderman Dulaney made the motion to approve the Halloween Curfew order, seconded by Alderwoman Taylor and unanimously adopted by all members present.

APPENDIX C – HALLOWEEN CURFEW ORDER

The Board discussed and considered the proposed budget amendments for FY 2019 budget. Expenses were increased due to security cameras and street paving project. After diligent discussion, Alderman Dulaney made a motion to approve the proposed amendments; Alderman Willis seconded, and the motion was unanimously adopted and approved by all members present.

APPENDIX D – BUDGET AMENDMENTS

The Board discussed and considered adjustments to miscellaneous balances to close out bank accounts at Citizens Bank per auditor's suggestion. Miscellaneous adjustments are as followed; (-\$327.45) Town Clerk's Fund Account, \$4,151.80 Water Department Account, and \$318.59 Claims Clearing Fund. Alderman Graves made a motion to approve the miscellaneous adjustments to balances in Citizens Bank accounts as presented; Alderman Dulaney seconded and the motion was unanimously adopted and approved by all members present.

The Mayor and Board discussed the addition of sewer policies. Policies include monthly records of grease trap cleanings for restaurants and other businesses, fees for illegal dumping of grease, and fees for sewer department to clear line due stop up on customer. Upon discussion, Attorney Graves will draft and order stating the water and sewer policy revisions and additions. Order for water and sewer policy changes will then be published in the paper. Alderman Willis made a motion to approve the sewer policies that will be revised and drafted as an order, as well as the water policy revisions, by Attorney Graves; Alderman Graves seconded, and the motion was adopted and approved by all members present.

APPENDIX E – SEWER POLICY

The Board discussed and considered travel request for Mayor Cariker, Kate Scott Pennock, and J Robinson to attend Partnership for Small Systems Optimization Workshop by USDA in Cleveland, MS October 29, 2019 from 8:30 a.m. to 3:30 p.m. Cost of registration fee include lunch and will be available soon. Alderman Dulaney made a motion to approve travel request; Alderman Willis seconded, and the motion was adopted and approved.

The Mayor and Board of Aldermen next considered holding an Executive Session, as authorized pursuant to Section 25-41-7, Mississippi 1972, as amended. Alderman Graves moved that a closed determination be held to discuss whether an executive session is needed to be held and is appropriate. Alderman Willis seconded the motion. Thereupon, the

matter was put to a vote with the results as follows: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea.

The matter having received the majority 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 Cariker stated that the purpose for holding the executive session would be to discuss police and public works personnel.

Based on this, Alderman Willis made the motion that the Mayor and Board of Aldermen hold an executive session to discuss, consider and act on the Executive Session matter. Alderman Dulaney seconded the motion. The matter was put to a vote with the result as follows: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea.

The matter having received the majority vote of the Board of Aldermen of Tunica, the Mayor declared the same carried and the Board entered into executive session to consider the Executive Session Matters. Present during the executive session were the Mayor, all members of the Board of Aldermen who voted on going into executive session, Board Attorney Graves, Chief of Police Nichols, Operations Manager Robinson, and Town Clerk Kate Scott Pennock.

After discussion, the following actions were taken regarding public works and police personnel: Alderman Willis made a motion to hire Austin Dunlap for the public works department at a pay rate of \$9.00 per hour and a 90-day probation period. After the probation period ends, the pay rate will increase to \$10.00 per hour. Alderman Graves seconded and a vote was taken with the following results: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea.

Upon personnel review by Chief Nichols, Alderman Graves made a motion to hire Walter French as a patrol officer for the police department at a pay rate of \$18.00 per hour and a one-year probation period effective 10-01-2019. Mr. French is a trained K-9 handler, certified training instructor, and has SWAT training. Alderman Dulaney seconded and a vote was taken with the following results: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea.

Upon receiving employment application and personnel review by Chief Nichols, Alderman Dulaney made a motion to hire Brandon Smith as a patrol officer for the police department at a pay rate of \$17.00 per hour and a one-year probation period effective 10-01-2019. Alderman Graves seconded and a vote was taken with the following results: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea.

Alderman Dulaney made the motion to leave executive session seconded by Alderman Willis. The vote was as follows: Alderman Graves, yea; Alderman Beach, absent; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Willis, yea. The motion carried and the Board returned to open meeting. Mayor Cariker announced the action taken during Executive Session.

With no other business, Alderman Willis moved to adjourn, Alderman Graves seconded, and the meeting adjourned at 4:13 p.m. this 15th day of October 2019.

Charles M. Cariker, Mayor

ATTEST:

Kate Scott Pennock, Town Clerk

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APPENDIX B – AMS INVOICE
APPENDIX C – HALLOWEEN CURFEW ORDER
APPENDIX D – BUDGET AMENDMENTS
APPENDIX E – SEWER POLICY**