

**REGULAR FIRST TUESDAY SEPTEMBER
MEETING OF THE MAYOR AND BOARD OF ALDERMEN**

BE IT REMEMBERED, that Tuesday, September 1, 2020 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 Charles M. Cariker	Present
Alderman John A. Graves Jr	Present
Alderman Brad Beach	Present
*Alderman Andrew Dulaney	Present
Alderman Dan Pierce	Present
Alderman Brooks Taylor	Present
Town Clerk Kate Scott Pennock	Present
Town Attorney Wes Ryals	Present
Police Chief Michael Nichols	Absent
Investigator Chris Cheslock	Absent
Investigator Kevin Hatton	Absent
Street Supervisor Kelvin Cooke	Absent
Operations Manager Thomas J. Robinson, III	Present
Town Chaplain Danny Smith	Present
*Attended via conference call.	

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. Mayor Cariker also led in prayer.

The Board considered the claims for August 2020. Alderman Pierce had reviewed the claims prior to the meeting and made the motion to approve them as presented. Alderman Beach seconded and the motion was unanimously adopted and approved by all members present.

APPENDIX B – AUGUST CLAIMS

The Board considered the minutes from the meeting August 18, 2020. Alderman Graves moved to approve the minutes as written, Alderman Taylor seconded, and the motion was unanimously adopted and approved by all members present.

REPORTS:

- **Bob Barber, with Orion Planning & Design, reported for the Planning Commission. The Board next discussed an application filed by Alex Obad for a variance to allow a lot to be split into two lots. The property is Lot 3, Block 11, Abbey & Howard Subdivision. The current lot is a legal lot and has a house located towards the south end with a shop located just north of the house. The application is for a variance to allow the lot to be split into two lots – neither of the new lots will be conforming lots as neither will meet the minimum size for a lot in the specific zone. The Board heard from Mr. Barber as the representative of the Planning Commission. Mr. Barber reviewed the application and advised the Board of the action taken by the Planning Commission. Mr. Obad discussed his application. At Mayor Cariker’s request, Mr. Barber reviewed the legal standard which shall be followed in connection with the proposed variance application. In order to grant the variance, the Board of Alderman is required to affirmatively find that: 1) the zoning regulations applicable to the lot do not allow for a reasonable use; 2) the hardship for which the variance is requested is unique to the property and not general to the area in which the property is located; and 3) the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property and will not impair the purposes or regulations to the Zoning District in which the property is**

located. The Board next discussed the application and expressed that while they understand Mr. Obad's goals and intent, and appreciate his proposed project, that the application will not meet the legal standard required in order to grant the variance. Following the discussion, Alderman Dulaney moved that the application for the variance be denied as there is a reasonable use of the property without the granting of the variance and as there is no hardship which is unique to the property. Alderman Beach seconded the motion. The matter was put to a vote with the results as follows: Alderman Graves, yea; Alderman Beach, yea; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Pierce, yea.

APPENDIX C – VARIANCE REQUEST

- Investigator Cheslock reported for the police department.
- J Robinson reported for Operations.
- There was nothing to report for Tunica Mainstreet.
- There was nothing to report for the Code Enforcer.

The Board considered and discussed reimbursement of \$32.50 for fuel to Investigator Cheslock due to the Fuelman system being down temporarily. Alderman Graves made a motion to approve reimbursement of \$32.50 to Investigator Cheslock; Alderman Beach seconded, and the motion was adopted and approved by all members present.

APPENDIX D – RECEIPT FOR FUEL

The Board considered and discussed water adjustment recommendations in the amount of \$979.27. Alderman Graves made a motion to approve the water adjustment recommendations as presented with the exception of the adjustment for Jimmy Rider based on completion of code violations to clean up his property; Alderman Pierce seconded, and the motion was unanimously adopted and approved.

APPENDIX E – WATER ADJUSTMENT RECOMMENDATIONS

The Mayor and Board discussed the travel request for Mary Green to attend the Fall Certification training virtually October 7-9, 2020. Cost will include registration fee of \$200.00 only. Alderman Dulaney made a motion to approve all travel requests; Alderman Graves seconded, and the motion was unanimously adopted and approved by all members present.

There was nothing to report for COVID-19.

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 Graves moved that a closed determination be held to discuss whether an executive session is needed to be held and is appropriate. Alderman Pierce seconded the motion. Thereupon, the matter was put to a vote with the results as follows: Alderman Graves, yea; Alderman Beach, yea; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Pierce, 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 real estate and personnel.

Based on this, Alderman Beach made the motion that the Mayor and Board of Aldermen hold an executive session to discuss, consider and act on the Executive Session matter. Alderwoman Taylor seconded the motion. The matter was put to a vote with the result as follows: Alderman Graves, yea; Alderman Beach, yea; Alderman Dulaney, Alderwoman Taylor, yea; and Alderman Pierce, 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 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, Town Clerk Pennock, and Town Attorney Ryals. Town Clerk Pennock recused herself at 3:45 p.m. and rejoined the meeting at 3:50 p.m.

After discussion, the following actions were taken regarding personnel services: Alderman Beach made a motion to approve the salary schedule for FY 2021. Alderman Pierce seconded and a vote was taken with the following results: Alderman Graves, yea; Alderman Beach, yea; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Pierce, yea.

APPENDIX F – FY 2021 SALARY SCHEDULE

Alderman Graves made the motion to leave executive session seconded by Alderman Pierce. The vote was as follows: Alderman Graves, yea; Alderman Beach, yea; Alderman Dulaney, yea; Alderwoman Taylor, yea; and Alderman Pierce, yea. The motion carried and the Board returned to open meeting and Mayor Cariker announced the following actions that were taken during executive session.

The Mayor announced that a Public Hearing for the FY 2021 Budget would be held tonight, September 1, 2020 at 5:30 p.m. in the Board Room.

With no other business, Alderman Beach moved to adjourn, Alderman Graves seconded, and the meeting adjourned at 3:53 p.m. this 1st day of September 2020.

Charles M. Cariker, Mayor

ATTEST:

Kate Scott Pennock, Town Clerk

APPENDIX A – ATTENDANCE SHEET

APPENDIX B – AUGUST CLAIMS

APPENDIX C – VARIANCE REQUEST

APPENDIX D – RECEIPT FOR FUEL

APPENDIX E – WATER ADJUSTMENT RECOMMENDATIONS

APPENDIX F – FY 2021 SALARY SCHEDULE