

ORDER OF THE GOVERNING AUTHORITIES OF THE CITY OF GLUCKSTADT  
EXERCISING THE RIGHT OF LOCAL GOVERNMENT OPTION TO OPT OUT  
AS PROVIDED IN SB 2095 (2022 MISSISSIPPI LEGISLATIVE SESSION)  
“THE MISSISSIPPI MEDICAL CANNABIS ACT”

WHEREAS, during the 2022 Legislative Session, the Mississippi Legislature passed SB 2095, the Mississippi Medical Cannabis Act, (“the Act”) which Act was approved by the Governor of the State of Mississippi on February 2, 2022, and by its terms is effective from and after February 2, 2022; and

WHEREAS, Section 30 of the Act provides that within ninety (90) days after the effective date of the Act, the governing authorities of a municipality may vote to opt out of allowing one or more of the following: cultivation, processing, sale or distribution of medical cannabis and cannabis products; and

WHEREAS, in accordance with the Act, the governing authorities of a municipality are required to provide notice of any such vote to opt out of the Act as required in accordance with the Open Meeting Act (MCA Section 25-41-1 *et. seq.*); and

WHEREAS, by adopted Ordinance of the City of Gluckstadt, Mississippi, and under Miss. Code Ann. § Section 21-3-19 and Section 21-17-17, the Mayor and Board of Aldermen previously ordained that they shall meet on the second Tuesday of each month at 6:00 p.m., in the Board Room at City Hall, located at 343 Distribution Drive, Gluckstadt, MS 39110; and

WHEREAS, the meeting of March 8, 2022, of the Mayor and Board of Aldermen of the City of Gluckstadt, occurring on the second Tuesday of March, is a special meeting, notice of which was provided pursuant to Miss. Code Ann. §§ 21-3-21 and 25-41-13(a), and method of which notice shall be entered on the minutes of the special meeting.

WHEREAS, in accordance with the Open Meetings Act, Miss. Code Ann. Section 25-41-

13, “any public body which holds its meetings at such times and places and by such procedures as are specifically prescribed by statute shall continue to do so and no additional notice of such meetings shall be required, except as provided therein”; and

WHEREAS, this matter was presented at a regular board meeting of the governing authorities of the City of Gluckstadt, Mississippi, on March 8, 2022, as provided by statute and ordinance and accordingly no additional notice is required by the Open Meetings Act of an intent to hold a vote, or to hold a vote, to opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products as applicable in the City of Gluckstadt, Mississippi; and

WHEREAS, the Act comprises almost 450 pages and presents complex zoning, licensing, and permitting issues and related matters which will require analysis and planning by professionals which cannot be reasonably accomplished within the time provided in the Act for a municipality to opt out as provided in the Act and accordingly, in order to not be irrevocably bound to the provisions of the Act without having completed the requisite professional analysis and planning, and at the same time preserving the option to opt in the provisions of the Act, in whole or in part, after sufficient professional analysis and planning has been completed,

Alderman Slay, made the motion to opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products in the City of Gluckstadt, Mississippi, in accordance with the provisions of the Act;

Alderman Williams, seconded the motion;

Upon roll call vote and confirmation, the result was as follows:

Alderwoman Miya Warfield Bates voted:

Aye/Nay

Alderman Jayce Powell voted: Aye/Nay

Alderman Richard Wesley Slay voted: Aye/Nay

Alderman John Taylor voted: Aye/Nay

Alderwoman Lisa H. Williams voted: Aye/Nay

as reflected in the Minutes hereof, the motion carried 3-2 and was adopted and now, therefore

IT IS ORDERED that the City of Gluckstadt, Mississippi, opts out of the Act for all purposes including allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products in the City of Gluckstadt, Mississippi.

SO ORDERED THIS THE 8th day of March, 2022.

Walter Morrison  
Hon. Walter C. Morrison IV, Mayor

Attest:

Lindsay Kellum 3/8/22  
Lindsay Kellum, City Clerk

