

TOWN OF WALNUT GROVE MINUTES OF
MAYOR AND BOARD OF ALDERMEN HELD
ON NOVEMBER 5, 2002

BE IT REMEMBERED and it is hereby certified to that the Mayor and Board of Aldermen met in regular session on Tuesday, November 5, 2002, at 6:00 p.m., at the city hall. The meeting was called to order by the Mayor Grady Sims.

There were present:

Grady Sims	Mayor
W. C. Croft, Jr.	Aldermen
Darla Mayo	Aldermen
Jerry Darby	Aldermen
David Dumas	Aldermen
Pamela Gill	Aldermen
Jeff Webb	Attorney
Ada Chamblee	Town Clerk

The following was absent:

Brent King City Manager (vacation)

After prayer by Mayor, Grady Sims, the following business was transacted to-wit:

Marcus Ellis read his letter to the Mayor and Board of Aldermen wanting Tim Palmer reinstated as Marshal for the Town of Walnut Grove. The Mayor and Board of Aldermen had the letter made part of the minutes by Aldermen Dumas, seconded by Aldermen Mayo and unanimous approval by all the Board of Aldermen.

Jane Johnson, Brian Gomillion (lives at home with parents), J. B. Sistrunk, Mr. and Mrs. Marcus Ellis, Eva Dean Ellis, Dale and Benny Withers, Ricky Chamblee, Mrs. Totie Dumas, all homeowners and citizen of Walnut Grove came to show their support for the Town applying for a water & sewer grant to fix the problem areas of the system. The Mayor and Board of Aldermen accepted the petition given to them by Marcus Ellis and adopted the following resolution on motion by Aldermen Croft, seconded by Aldermen Darby and an "AYE" vote by all the Board of Aldermen.

Mr. Alan Pitts with Entex (CenterPoint Energy) asking the Mayor and Board of Aldermen if the Town was still interested in selling the natural gas system. On motion by Aldermen Dumas, seconded by Aldermen Croft, and unanimous approval by all the Board of Aldermen to Authorize the Mayor to tell Mr. Pitts that the Town is not interested in selling the natural gas system at this time.

The Mayor was authorized to sign a fire protection agreement with Leake County on motion made by Aldermen Dumas, seconded by Aldermen Gill and an "AYE" vote by all the Aldermen present.

The Mayor presented a new drug policy for the Town to accept and adopt for its own. The new drug policy was adopted on motion made by Aldermen Croft, seconded by Aldermen Dumas and an "AYE" vote by all the Board of Aldermen.

The clerk was authorized to purchase a drop box for the outside of City Hall for utility bills customers wish to pay when office is closed on motion by Aldermen Gill, seconded by Aldermen Mayo and an "AYE" vote by all the Board of Aldermen.

On motion made by Aldermen Croft, seconded by Aldermen Dumas, and unanimous approval by all the Board of Aldermen, the Mayor and clerk were given the authority to pay overtime for police officers who have to work extra hours due to being shorthanded on the Walnut Grove Police Department.

On motion made by Aldermen Dumas, seconded by Aldermen Darby and an "AYE" vote by all the Board of Aldermen to pay cost and expenses for officials of Walnut Grove wanting to attend the Mississippi Municipal League Mid Winter Conference being held in Jackson.

Motion was made by Aldermen Gill, seconded by Aldermen Mayo and a vote of "AYE" by Aldermens Gill, Darby, Mayo, and Dumas, and a "NO" vote by Aldermen Croft to advertize for a new marshal for the Town of Walnut Grove Police Department. Motion was approved of by a majority of votes.

Walnut Grove Police Deputy #2 Benny Withers addressed the Mayor and Board of Aldermen, letting them know he wants to be considered for the Town Marshal Job. He was informed to submit an application to the Mayor and he would be considered with the rest of the candidates for the job. No action taken.

The following bills were presented and ordered paid on motion by Aldermen Croft, Seconded by Aldermen Dumas and an "AYE" vote by all the Board of Aldermen.

The following bills were presented and ordered paid from

Gas System Operation Funds:

Ada Chamblee	Office Salary	1687.50
Municipal Gas Authority	Gas Purchased	12763.02
Thomas Discount	Maintenance	87.02
John Ladd	Miscellaneous	142.00
A U L	Employees Insurance	343.52
Starmark	Employees Insurance	3718.38
A T & T	Phones	39.73
Bellsouth	Phones	758.42
Arch Wireless	Phones	36.15
MS Power Company	Power	1150.62
Joiner Building Supply	Maintenance	25.74
Motor Parts & Gear	Maintenance	264.94
Thomas Drilling	Maintenance	197.84
Leake County Co-Op	Maintenace	48.58
Wal Mart	Maintenace	373.89
Hunter Environmental	Maintenance	152.18
Viking Office Supplies	Office Supplies	70.45
Postmaster	Postage	37.00
Ada Chamblee	Office Supplies	26.25
Momar	Chemicals	491.75
Carlton Oil Company	Gas & Oil	855.75
Sherman Aaron LLC	Gas Line Inspection	650.00
The Carthaginian	Miscellaneous	31.68
First Carthage Cox	Insurance	225.00
MS State Tax Commission	Sale Tax	664.00
Bank of Walnut Grove	Payroll Taxes	1247.15
Bank of Walnut Grove	W H Taxes	965.00
Postmaster	Postage	

The following bills were presented and ordered paid from

Water & Sewer Operation Funds:

Ada Chamblee	Office Salary	112.50
Bank of Walnut Grove	Payroll Taxes	406.16
Bank of Walnut Grove	W H Taxes	90.00
MS Power Company	Power	1276.11
MS POver Company	Sewer Lift Power	846.39
Central Electric Power	Sewer Lift Power	25.37
Dixie Wholesale	Maintenance	75.35
MS Development Authority	Cap Loan Payment	3491.19
The Carthaginian	Publication	88.50
Bellsouth	Phones	128.40
T V A	Loan Payment	3683.47
Postmaster	Postage	45.00

The following bills were presented and ordered paid from

Fire Protection Funds:

Shank Communications	Fire Equipment	1215.00
Tupelo Fire Equipment	Fire Equipment	1347.27

The following bill was presented and ordered paid from

Street Tax Funds:

MS Power Company	Street Lights	902.79
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The following bills were presented and ordered paid from

General town Funds:

Bank of Walnut Grove	Payroll Taxes	1385.69
Bank of Walnut Grove	W H Taxes	471.00
Starmark	Employees Insurance	321.91
A U L	Employees Insurance	119.00
MS Power Company	Power	644.76
Leake Co. Solid Waste	Trash Cost	3587.33
MS Court Clerks Assoc.	Fees & Dues	50.00
Carthage Small Engine	Lawn Mower Repairs	25.03
Bellsouth	Library Maintenance	105.07
John Ladd	Miscellaneous	265.00
MAS Modern Marketing	Law Enforcement	90.53
Leake Co. Correctional	Jail Cost	225.00
Jeff Webb	Legal	171.00
Dickerson Petroleum	Patrol Car	39.07
Frontier Ford	Patrol Car Lease	2189.12
Frontier Ford	Patrol Car	493.50
Shank Communications	Law Enforcement	32.00
MML	Fees & Dues	250.00
Jackson Hilton	Convention Expense	
Leake Co. Economic District	Pledge in Budget	5000.00

OFFICER'S SALARIES:

Grady Sims	Mayor	1000.00
W. C. Croft, Jr.	Aldermen	200.00
Darla Mayo	Aldermen	200.00
Jerry darby	Aldermen	200.00
David Dumas	Aldermen	200.00
Pamela Gill	Aldermen	200.00
Jeff Webb	Attorney	200.00
Ada Chamblee	Town Clerk	100.00
Johnny Pope	Municipal Judge	400.00


The following salaries were also paid:

Brent King	City Manager	2250.00
Jerry Millsaps	Maintenance	2230.00
Mark Trippe	Maintenance	2200.00
James Earl Johnson	Maintenance	1334.00
Tim Palmer	Marshal	2650.00
Benny Withers	Deputy #2	2797.16
David Dees	Deputy #3	2225.64
Kevin Polk	Deputy #4	2686.40

Balance on hand, October 31, 2002:

General Town Funds	40,318.61
Street Tax Funds	7,322.91
Fire Protection Fund	6,888.63
Gas System Revenue Funds	78,387.45
Gas System Operation Funds	20,137.28
Gas System Meter Deposits	13,563.07
Water & Sewer Revenue Funds	1,515.60
Water & Sewer Operation Funds	8,799.65
Water System Meter Deposit	3293.63

There being no further business, on motion duly made and seconded. The meeting was RECESSED, until November 19, 2002, at 6:00 P.M., Tuesday. At which time the Mayor and Board of Aldermen will discuss the job openings in the Walnut Grove Police Department and to any and all business pertaining to the Town of Walnut Grove.



 Mayor

Attest:



 Town Clerk

MARCUS D. ELLIS, JR.
Route 2, Box 18
Walnut Grove, Mississippi 39189

25 October 2002

TO: Mayor, Town of Walnut Grove
Board of Aldermen, Town of Walnut Grove

To the Board of Aldermen:

On 21 October 2002, the Board of Aldermen, Town of Walnut Grove, acting in Executive Session, terminated Timothy Palmer from his position as Chief of Police.

I believe this action to be 1) capricious, 2) ill-advised, and 3) a violation of the fiduciary duties of the Board of Aldermen to the citizens of the Town of Walnut Grove.

Capricious, because this action was taken solely based upon the religious beliefs of several members of the Board: while these tenets are laudable, they fail to consider that other members of the police department, and the current sitting Board of Aldermen, have been involved in actions which are not acceptable by most major religions. In those cases, no such drastic actions such as termination were undertaken. The argument that "those actions occurred under a previous board" is of no value, inasmuch as the moral precedent was established by those previous boards; is a matter of public record and has been accepted by the Walnut Grove community: that precedent was explained and promulgated by Mayor Grady Sims, and the Board chose to ignore it.


Ill-advised, because I believe the actions of the Board have placed the Town of Walnut Grove into a legal quagmire, one which could have easily been avoided. The argument that "employees serve at the discretion and pleasure of the Board, and may be terminated at any time, with or without justification", is true, insofar as the State of Mississippi is concerned. However, there are numerous Federal laws regarding employment rights, all of which have been upheld as superceding those of the States. I believe, therefore, that the actions of this Board have placed the Town of Walnut Grove into the position of being forced to defend itself against a lawsuit, based upon the Board's actions. This will entail the unnecessary expenditure of funds from the Town Treasury, funds that could be utilized for the betterment of life for the citizens of Walnut Grove.

Violation of the Fiduciary duties of the Board of Aldermen, in that this draconian action was taken without benefit of public input, hearing or other discourse with the general public. Had a public hearing been conducted, I believe the overwhelming majority of voters in the Town of Walnut Grove would have indicated a sanction such as probation over termination. Instead, the actions of this Board have rendered the Town of Walnut Grove without adequate personnel to perform policing duties, and with no one on the current police department qualified to perform duties as Chief of Police. This will entail a search for a replacement, costing time, effort and money - none of which is justified.

Timothy Palmer served this community in a truly outstanding manner in excess of 11 years, without a single complaint of any nature being leveled against him. He has admitted his mistake, his wife has forgiven him, and he has attempted to move on with his life. His personal falling in no way compromised his ability to serve as Chief of Police, in no way compromised the safety and security of the Town of Walnut Grove, and in no way caused harm to the Town of Walnut Grove. The argument that "other members of the Police Department could not work with him" is specious, at best: This is strictly a personal matter, and if members of the Police Department are unable to work as partners, cannot keep their personal and professional lives separated, cannot work together for the good of the community, then they should work out their differences in an amicable manner, without involvement of the Board. If this means that one member should resign and move on, then so be it: again, a *personal* matter, not a *personnel* matter.

With all due respect for this Board of Aldermen, I believe this Board has but one moral, proper and conscionable recourse: Reinstate Timothy Palmer as Chief of Police.

Sincerely,



**MARCUS D. ELLIS, JR.
Taxpayer and Citizen,
Town of Walnut Grove**

PETITION

TO THE TOWN OF WALNUT GROVE:

WE, THE UNDERSIGNED, DESIRE TO PRESENT TO THE TOWN OF WALNUT GROVE, AND MOST PARTICULARLY THE GOVERNING BOARD OF ALDERMEN, THAT THE TOWN OF WALNUT GROVE SUFFERS FROM POOR WATER PRESSURE, CRUMBLING INFRASTRUCTURE AND LEAKY WATER LINES, CAUSED BY INADEQUATE AND INSUFFICIENTLY SIZED WATER LINES. WE RESPECTFULLY REQUEST THAT THESE INADEQUATE AND SMALL LINES BE REPLACED WITH LINES OF SUFFICIENT SIZE AND QUALITY SO AS TO PROVIDE ACCEPTABLE WATER PRESSURE.

NAME	ADDRESS	DATE
MARCUS D. ELLIS, SR	WALNUT GROVE, MS	18 OCT 02
Margretta A O Ellis	Rt 2 Box 18 Walnut Grove MS	18 Oct 02
Jack Jodorov	323 Lewis Ave, W.G. MS	18 Oct 02
Pat Adam	124 Main Street W.G. MS	18 Oct 02
Brian Hill	212 Main St	20 Oct 02
Don Gomillion	272 Main St	20 Oct 02
W & Craft	218 Lewis Ave	20 Oct 02
Naomie M. Lewis	101 Reeves Ave	Oct. 20, 02
Lena Pearl Craft	218 Lewis Ave	20-10-02
Mosley Dumas	210 Main St	20 Oct 02
Jennie Heberg	211 Spruce St.	20 Oct. 02
Eva D. Ellis	220 Main St	20 Oct. 02
Steph R Dreyer	P.O. 269	20 Oct 02
Judith Allen	PO Box 269	20 Oct 02
Betty L. Tomellin	P.O. Box 21 W.G.	20 Oct. 02
Paul Green	P.O. Box 33	20 OCT-02
Carl E. Heberg	P.O. Box 385 W.G.	Oct. 29, 02
John H. City	Bx 345 W.G.	OCT. 25. 02
James P. Sims	256 MAIN ST W.G.	OCT 28-02
Jane J. Willin	103 Golden Ave WG	Nov. 5, 02

Bonnie Sims 250 Main St WG 10-28-02

Ada Chandler 34 Sylvanus 11-5-02

Becky Chandler 34 Sylvanus 11-5-02

John Bill Hill St 11-5-02

Charles F. Hill P.O. Box 49 Walnut Grove 11-5-02

Daniel Dumas Rt 2 Box 17 Walnut Grove 11-5-02

Frankie McKay 309 Golden Ave. Walnut Grove 11-5-02

John B. Eistand

Martin Guss, Jr Walnut Grove

Lana Mayo P.O. Box 2108 Walnut Grove, MS 3918

Ann Doss P.O. Box 17 Walnut Grove MS

Benny Withers 215 Spuse St Walnut Grove

Dale Withers P.O. Box 238 Walnut Grove

RESOLUTION
Town of Walnut Grove

WHEREAS, the Mayor and Board of Aldermen have determined that water improvements in a low-income area of Walnut Grove are very much needed and are a locally defined deficiency; and


WHEREAS, the Mayor and Board of Aldermen have determined that improving the water system is an important part of the Town's strategy for community development; and

WHEREAS, the Mayor and Board of Aldermen have determined that predominately low- and moderate-income persons are the primary beneficiaries of the services provided by the improvements; and

WHEREAS, the Mayor and Board of Aldermen have caused an application to be prepared addressing the above-defined deficiencies.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Aldermen hereby approve the above-mentioned application and hereby authorize the Mayor to sign said application and take any other actions necessary to have it submitted for consideration and to enter into an agreement with the Mississippi Development Authority, if the application is approved, and take any actions necessary to implement the project.

RESOLVED, this the 5th day of Nov., 2002.



Grady Sims, Mayor
Town of Walnut Grove

TOWN OF WALNUT GROVE RECESSED MEETING
 OF MAYOR AND BOARD OF ALDERMEN HELD
 ON NOVEMBER 19, 2002

BE IT REMEMBERED and it is hereby certified to that the Mayor and Board of Aldermen met in recess session pursuant to its regular November meeting on Tuesday, November 19, 2002, at 6:00 p.m., in the City Hall, this being the time and place said meeting was called by the Mayor Grady Sims. The meeting was called to order by the Mayor Grady Sims.

There were present:

Grady Sims	Mayor
W. C. Croft, Jr.	Aldermen
Jerry Darby	Aldermen
David Dumas	Aldermen
Darla Mayo	Aldermen
Pamela Gill	Aldermen
Ada Chamblee	Town Clerk

After prayer by Mayor Grady Sims, the following business was transacted to-wit:

On motion by Aldermen Croft, seconded by Aldermen Darby and an "AYE" vote by all the Board of Aldermen to promote part-time deputy Kevin Polk to full time status with a monthly salary of \$1975.00.

The Mayor Grady Sims was authorized to hire a part time police officer to help out on allowing the full time officers a day off with the Walnut Grove Police Department short one full time police officer, pay is to be \$9.20 per hour, on motion made by Aldermen Gill, seconded Aldermen Dumas and unanimous approval by all the Board of Aldermen.

WGPD#3 Officer David Dees quit and gave no resignation on paper or no two week notice, motion by Aldermen Darby, seconded by Aldermen Mayo to accept David Dees quitting the police department, unanimously approved by all the Board of Aldermen.

David Alexander has applied for the part time officer job of 24 hours a week at \$9.20 per hour and is a certified law enforcement officer of the State of Mississippi. David Alexander was hired as WGPD4 for the Walnut Grove Police Department on motion by Aldermen Dumas, seconded by Aldermen Croft and an "AYE" vote by all the Board of Aldermen.

The following proclamation was adopted and ordered to be published one time in the newspaper on motion by Aldermen Dumas, seconded by Aldermen Croft and an "AYE" vote by all the Aldermen present.

The Clerk requested permission to update the court and utility billing programs to windows based programs as the computer programs the Town has now are DOS based. The Mayor and Board of Aldermen gave permission for the Clerk to investigate the cost of updating the computer programs and report back on the Matter at the January board meeting on Aldermen's Gill, seconded by Aldermen Dumas and an "AYE" vote by all the Board of Aldermen.

There being no further business, on motion duly made and seconded.

The meeting was ADJOURNED.

So ordered in a recessed meeting the 19th day of November, 2002.


MAYOR

ATTEST:


TOWN CLERK