

TOWN OF WALNUT GROVE MINUTES
 OF MAYOR AND BOARD OF ALDERMEN
 HELD ON OCTOBER 5, 2004

BE IT REMEMBERED and it is hereby certified to that the Mayor and Board of Aldermen met in regular session on Tuesday, October 5, 2004, at 6:00 p.m., in the City Hall, this being the time and place said meeting. 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
Pamela Gill	Alderwomen
Darla Mayo	Alderwomen
Ada Chamblee	Town Clerk
Jeff Webb	Attorney
Willie Jones	Marshal
Brent King	City Manager

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

James Jones owner of over 100 acres inside the city limits that is just woods with no dwellings on property requested a permit to allow hunting on his property. After discussion by the Attorney, Mayor and Board of Aldermen with Mr. James Jones, the Town ordinance will stand as written and will not be amended to allow hunting in City limits on decision and motion made by Aldermen Dumas, seconded by Aldermen Croft and an "AYE" vote by all the Board of Alderpersons.

A public hearing will be held on November 4, 2004 at 5:30 at City Hall for citizen input for application for Water and Sewer Grant. No motion needed for this hearing.

Brent King, City Manager requested the Mayor and Board of Aldermen consider buying a used chipper for the Town. The City Manager was directed to have the bids needed for purchasing a chipper machine at the November regular board meeting.

Aldermen Croft seconded by Aldermen Dumas made the motion to authorize Attorney Jeff Webb to give Hilda Ann McAdory a deed to the Moss Street that has never been opened as she is the only adjoining land owner of the said property, this was unanimously approved by all the Board of Aldermen.

Brent King is to be paid directly at his request the \$1,000.00 of life insurance payments that have been taken out in error to make his life insurance premiums as he was cancelled on the Town of Walnut Grove's invoice and the error was not found in a year, these actions were okayed on motion made by Aldermen Croft, seconded by Aldermen Dumas and an "AYE" vote by all the Board of Alderpersons.

Alderwomen Mayo, made a motion to advertise for two new police cars with the bids to be opened at the November Board meeting, the motion was seconded by Aldermen Croft, and unanimously approved by all the Aldermen.

Marshal Willie Jones was given permission on his request to apply for a State Law Enforcement Grant on motion made by Aldermen Dumas, seconded By Alderwomen Gill and an "AYE" vote by all the Board of Aldermen.

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 Water and Sewer Operation Funds:

Ada Chamblee	Office Salary	112.50
Bank of Walnut Grove	Payroll Taxes	228.52
Bank of Walnut Grove	W H Taxes	67.00
U P S	Postage	12.20
MS Power Company	Sewer Lift Power	89.40
Central Electric Power	Sewer Lift Power	120.53
MS Power Company	Power	1159.15
Momar	Chemicals	497.37
MS Development Authority	Cap Loan Payment	3481.50
Dixie Wholesale	Maintenance	550.46
TVA	Loan Payment	3683.47
Bellsouth	Phones	184.90
Bank of Walnut Grove	Payroll Taxes	211.31
Bank of Walnut Grove	W H Taxes	67.00
Postmaster	Postage	45.00

The following bill was presented and ordered paid from

Street Tax Funds:

Ms Power Company	Street Lights	519.44
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The following bills were presented and ordered paid from

General Town Funds:

Bank of Walnut Grove	Payroll Taxes	777.59
Bank of Walnut Grove	W H Taxes	288.00
Master Curb	Triangle Beautification	2000.00
MS Power Co.	Power	295.38
MMC Materials	Triangle Beautification	1657.50
John Deere Landscapes	Triangle Beautification	1583.21
Central Electric	Ballpark	8.03
The Carthaginian	Publication	696.60
Trustmark	Garbage Truck Note	2035.50
Mid South Uniform	Law Enforcement	1517.06
L. W. Gatewood	Walnut Grove Day	388.79
Leake Co. Correctional	Jail Cost	30.00
Frontier Ford	Patrol Car Lease Final	2546.28
T N T	Patrol Car	48.00
MS Municipal League	Fees & Dues	446.00
Carthage Small Engine	Lawn Mower Repairs	299.00
Bellsouth	Library Maintenance	112.04
First Carthage Cox	Insurance	100.00
MAS Modern Marketing	Law Enforcement	155.31
A U L	Employees Insurance	139.62
Starmark	Employees Insurance	283.83
MS Municipal Liability	Insurance	3077.00
Boswell Radio	Walnut Grove Day	98.00
Juanita Hayes	Employees Insurance	50.00
Bank of Walnut Grove	Payroll Taxes	658.85
Bank of Walnut Grove	W H Taxes	339.00
State Treasurer	Fine Assessments	2134.00
D P S	Fine Assessments	200.00

The following bills were presented and ordered paid from

Gas System Operation Funds:

Ada Chamblee	Office Salary	1937.50
Ms State Tax Commission	Sale Tax	284.00
Bank of Walnut Grove	Payroll Taxes	906.56
Bank of Walnut Grove	W H Taxes	437.00
Brent King	Insurance Error	1000.00
A U L	Employees Insurance	393.52
Sunflower	Maintenance	47.69
Downtown Grill	Miscellaneous	24.32
Malone Tractor & Equip	Maintenance	590.40
Dickerson Petroleum	Miscellaneous	476.63
Teletouch	Phones	44.08
Starmark	Employees Insurance	4691.80
MS Power Co.	Power	380.40
Midstate Tire	Maintenance	36.55
MS Municipal Liability	Insurance	3077.00
Sistrunk's Texaco	Maintenance	202.36
Thomas Drilling	Maintenance	448.49
Motor Parts & Gear	Maintenance	152.24
Juanita Hayes	Employers Insurance	50.00
Wal Mart	Maintenance	180.55
Joiner's 16	Maintenance	43.90
McGivney's Hardware	Maintenance	72.33
Hunter Environmental	Maintenance	94.95
Nordan Smith	Maintenance	17.53
Bellsouth	Phones	354.31
A T & T	Phones	96.97
Cingular Wireless	Phones	130.27
MS State Tax Commission	State W H Tax	420.00
Public Emp. Retirement	Employees Retirement	10.88
First Carthage Cox	Insurance	75.00
MS Dept. of Emp. Sec.	Unemployment Taxes	98.32
MS Power Co.	Power	50.40
Carlton Oil Co.	Gas & Oil	1392.13
Leake Co. Co-Op	Maintenance	96.00
Viking Office Supply	Office Supplies	50.35
Stamp Fulfillment	Office Supplies	210.85
Bank of Walnut Grove	Payroll Taxes	882.59
Bank of Walnut Grove	W H Taxes	231.00
Starmark	Employees Insurance	5454.96
Advantage Energy	Gas Purchased	20874.90
Postmaster	Postage	63.79

OFFICER'S SALARIES:

Grady Sims	Mayor	1000.00
W. C. Croft, Jr.	Aldermen	200.00
Jerry Darby	Aldermen	200.00
David Dumas	Aldermen	200.00
Pamela Gill	Alderwomen	200.00
Darla Mayo	Alderwomen	200.00
Ada Chamblee	Town Clerk	100.00
Jeff Webb	Attorney	200.00
Carolyn Wilcher Thomas	Municipal Judge	400.00

The following salaries were also paid:

Willie Jones	Marshal	2541.68
Brian Callahan	Deputy	1950.00
Stan Phillips	Deputy	1950.00
Keith Brown	Deputy	1494.84
James Miller	Deputy	552.00
Brent King	City Manager	2816.66
Jerry Millsaps	Maintenance	2425.00
Mark Trippe	Maintenance	2400.00
James Earl Johnson	Maintenance	1496.00

Balance on hand, September 30, 2004:

General Town Funds	8276.77
Street Tax Funds	12436.12
Fire Protection Funds	6511.12
Gas System Revenue	86812.53
Gas System Operation	10829.17
Gas System Meter Deposits	16291.15
Water & Sewer Revenue Funds	15366.33
Water & Sewer Operation Funds	5980.09
Water Meter Deposit Funds	4493.63

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

The meeting was ADJOURNED.

So ordered in a regular meeting the 5th day of October, 2004.

Minutes Read And Approved.



 Mayor

Attest:



 Town Clerk

RESOLUTION RECOGNIZING ABANDONMENT OF STREET

WHEREAS, the Mayor and Board of Alderman for the Town of Walnut Grove, Mississippi find that a certain street dedicated with the Luke Addition to the Town of Walnut Grove on file in Township Plat Book 1 at page 31 in the office of the Chancery Clerk of Leake County, Mississippi has never been used or opened as a street or alleyway.

WHEREAS, all of Moss Avenue as platted in the Luke Addition to the Town of Walnut Grove and running north and south between Prince Street and Summers Street has never been used as a public street or alley and should be recognized as being abandoned.

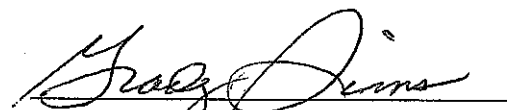
WHEREAS, the Mayor and Board of Alderman of the Town of Walnut Grove find and determine that it is in the best public interest of the Town of Walnut Grove to recognize that the referenced Moss Avenue has never been utilized as public street; that it should be recognized as having been abandoned; and that title shall revert to the adjoining landowners, consistent with the recognized rule of conveyance, to the centerline of the property.

NOW, THEREFORE, on motion and second and on the favorable vote of the Alderman as follows:

Alderman W.C. Croft voted "Aye",
Alderman Jerry Darby voted "Aye",
Alderman David Dumas voted "Aye",
Alderman Pamela Gill voted "Aye", and
Alderman Darla Mayo voted "Aye".

It is ordered and resolved that Moss Avenue as described herein be and hereby is recognized as being abandoned, and that title to same shall revert to the adjoining landowners, consistent with the recognized rule of conveyance, to the centerline of the roadway.

This the 5th day of October, 2004.


GRADY SIMS, Mayor

(Seal)


ADA CHAMBLEE, Clerk

WALNUT GROVE POLICE DEPARTMENT POLICY

USE OF FORCE

EFFECTIVE DATE 12-1-04**PAGE 1 OF 3**

1 POLICY:

2 IT is the policy of the Walnut Grove Police Department to use only that amount
3 Of force reasonable and necessary in the lawful performance of their duties as
4 Police officers to protect the public, staff and officers; to effect an arrest to
5 Prevent escapes and the destruction of property; to gain compliance from a
6 Individual in justifiable self- defense when such force is permitted by law.

7 DEFINITIONS:

8 **Deadly Force-** Any use of force that will likely result in serious bodily harm or
death

9 **Non-Deadly Force-** Any use of force that will not likely result in serious bodily
harm or death

10

11

12 The Mayor, Town Board and Police Chief will develop procedures to restrict the
13 Use of force to such instances as stated in this policy and proper police standards.
14 All police officers with the Walnut Grove Police Department will be provided
15 With the departments policy on the use of force and its limitations additionally,
16 Officers will be trained in the appropriate and proficient use of force, control and
17 Management of firearms, chemical agents and other non lethal weapons.

18

19 Officers may use force in the lawful performance of their duties when an
20 Individual or situation dictates that a use of force is necessary. Force may be
21 Authorized in the following instances:

22

23 To protect staff, public and officers

24

25 To effect an arrest

26

27 To prevent escapes

28

29 To prevent the destruction of city property

30

31 To gain compliance of an individual

32

33 In instances of justifiable self-defense

34

35 To prevent the commission of a felony or misdemeanor

36

37 To enforce regulations and orders

WALNUT GROVE POLICE DEPARTMENT POLICY

USE OF FORCE

EFFECTIVE DATE 12-1-04

PAGE 2 OF 3

1 To prevent or stop a riot

2

3 If time permits, a supervisor's permission must be obtained prior to the use of force
4 the officer should use the least amount of force necessary to control the person or
5 persons or the situation at hand. In all incidents, the safety of the public, staff and
6 officers should be considered to determine the necessary force to gain control of
7 the individual or the situation.

8

9 Deadly force may be used only when there is an immediate threat of death or
10 serious bodily harm to the public, officers, and staff.

11

12 Acknowledgement

13

14 All police officers with the Walnut Grove Police Department are required to sign
15 this policy and procedure. By signing, they acknowledge they have read and
16 understand the "use of force" policy and procedure. They acknowledge that they
17 understand the training required for use of force, approval of weapons and
18 chemical agents, necessary medical treatment and proper notification when force
19 is used.

20

21 Notification

22

23 The Chief, Mayor and Board shall develop procedures to ensure that officers
24 notify the chain of command the extent to which force has been used and any
25 injuries that have occurred. A written report shall be prepared promptly by all
26 personnel involved following any use of physical force and sent through the chain
27 of command.

28

29 Medical Treatment

30

31 In case of serious injury or death from the use of force, the appropriate medical
32 Personnel shall be notified immediately. A written report from medical personnel
33 Treating any person injured in the use of force incident shall be sent through the
34 Chain of command.

35

36 Approval of Weapons , Chemical Agents and Restraints

WALNUT GROVE POLICE DEPARTMENT POLICY

USE OF FORCE

EFFECTIVE DATE 12-1-04**PAGE 3 OF 3**

1 The Walnut Grove Police Department shall develop a list of approved weapons,
2 ammunition, chemical agents, nonlethal weapons and restraints that may be used by
3 the department personnel in the performance of their duties.

4

5 Duty to Intervene

6

7 In the event any employee observes an excessive use of force by another employee,
8 It shall be that person's responsibility to intervene in a reasonable manner and
9 attempt to de-escalate or control the amount of force used. The employee shall
10 report the incident to the Chief of Police who will notify his superior's.

11

12 The police Chief or his designee shall investigate all allegations of improper use
13 of force.

ENFORCEMENT AUTHORITY

All SOP'S that is related to the implementation and enforcement of this policy shall bear the signatures of and be issued under the authority of the Mayor, City Board and Chief of Police.

**Reviewed and Approved for
Issuance**

Mayor

Date

Board member

Date

Board Member

Date

Board Member

Date

Board Member

Date

Board Member

Date

Police Chief

Date

This is to certify that as a sworn police officer with the Walnut Grove Police Department, I have read and understand all guidelines set forth in the use of Force policy. By my signing this from I concur with said policy and agree with The condition set forth by the governing body of the town of Walnut Grove.

Municipal Compliance Questionnaire

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than yes or no, and as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of Municipality: Town of Walnut Grove
P.O. Box 236, 139 Main Street, Walnut Grove
2. List the date and population of the latest official U.S. Census or most recent official census: 1990 - 388

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

Grady Sims, Mayor P.O. Box 265 253-2104
W.C. Croft, Jr Aldermen P.O. Box 190 253-2307
David Dumas, Aldermen P.O. Box 304 253-2418
Pamela Gill, Alderwomen P.O. Box 49 253-2571
Jerry Darby, Aldermen P.O. Box 171 253-2209
Darla Mayo, Alderwomen P.O. Box 268 253-2161
Ada Chamblee, Town Clerk 34 Sylvanus St. 253-2117
Jeff Webb, Attorney 203 S. Pearl St. 267-9762

4. Period of time covered by this questionnaire:

From: October 1, 2003 To: September 30, 2004

5. Expiration date of current elected officials' term.

Town of Walnut Grove
(Municipality)

Certification to Municipal Compliance Questionnaire
Year Ended September 30, © 2004

We have reviewed all questions and responses as contained in this
Municipal Compliance Questionnaire for the Municipality of Walnut Grove
and, to the best of our knowledge and belief, all responses are accurate.

Ada Chambliss
City Clerk's Signature

Mayor's Signature

11-2-04
Date

Date

Minute book references:

Book Number 15

Page _____

(Clerk is to enter Minute book references when
questionnaire is accepted by Board.)

Town of Walnut Grove
(Municipality)

Municipality Compliance Questionnaire

YES NO N/A

PART I - GENERAL

- | | | | |
|---|----------|-------|-------|
| 1. Have all ordinances been entered into ordinance book and included in the minutes?(Section 21-13-13) | <u>X</u> | _____ | _____ |
| 2. Do all municipal vehicles have public license plates and side markings?(Section 25-1-87) | <u>X</u> | _____ | _____ |
| 3. Are municipal records open to the public and retained?(Section 21-39-5) | <u>X</u> | _____ | _____ |
| 4. Is there surety bond coverage for all persons receiving or disbursing funds? All elected officials, appointed officials, city clerk and police chief(Section 21-15-1 ET AL) | <u>X</u> | _____ | _____ |
| 5. Do you advertise for bids on the sale or disposal of real property? (Section 21-17-1) | <u>X</u> | _____ | _____ |
| 6. Have the financial records been maintained in accordance with the Chart of Accounts prescribed by the State Auditor?(Section 21-35-11) | <u>X</u> | _____ | _____ |
| 7. Does the city clerk submit to the governing authorities of the municipality a monthly report of expenditures and liabilities incurred against each budget item for the preceding month and fiscal year-to-date, together with the unexpended balance of each budget item? (Section 21-35-13) | <u>X</u> | _____ | _____ |
| 8. Are minutes prepared of Board meetings held; do minutes properly reflect results of such meetings; are minutes signed within 22 days of meeting (Section 21-15-33); is municipal docket (agenda) being maintained? (Section 21-15-19) | <u>X</u> | _____ | _____ |

Town of Walnut Grove
 (Municipality)
 Municipality Compliance Questionnaire

PART I - GENERAL (CONTINUED)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
9. Has the municipality published a synopsis of the annual audit within (30) thirty days of acceptance? (Section 21-35-31)	<u>X</u>	_____	_____
10. Has the municipality complied with Section 25-1-53 in its employment practices with regard to nepotism?	<u>X</u>	_____	_____
11. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the State Auditor's office in accordance with Sections 21-35-5, 21-35-7, and 21-35-9?	<u>X</u>	_____	_____
12. Has the municipality published its adopted budget in accordance with Section 21-35-5?	<u>X</u>	_____	_____

PART II - CASH

1. Is a claims docket maintained, if required; are all claims paid in the order in which entered in the docket?(Sections 21-39-7 and 21-39-9)	<u>X</u>	_____	_____
2. Are all warrants approved by the Governing Board, signed by the Mayor or a majority of the members of the Board of Aldermen, attested to by the Clerk, and have the Municipal Seal Affixed? (Section 21-39-13)	<u>X</u>	_____	_____
3. Has the municipality designated municipal depositories according to Section 27-105-363?	<u>X</u>	_____	_____
4. Are amounts expended compared to budgeted amounts, noting that expenditures in excess of budgeted amounts, except capital outlays, election expenses, and emergency expenditures, are violations of law? (Sections 21-35-15 and 21-35-17)	<u>X</u>	_____	_____

Town of Walnut Grove
 (Municipality)
 Municipality Compliance Questionnaire

PART II - CASH (CONTINUED)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
5. If revenues are less than estimated and a deficit is anticipated, did the governing authorities revise the budget not later than the regular July meeting? (During an election year, by the regular August meeting)(Section 21-35-25)	<u>X</u>	_____	_____
6. Has the municipality complied with the publication requirements and for budget amendments of 10% or more?(Section 21-35-25)	<u>X</u>	_____	_____
7. Did the municipality not spend more than one-fourth of it's yearly budget during the last three months of the official term?(Section 21-35-27)	<u>X</u>	_____	_____
8. Are appropriations other than appropriations for incompleated improvements in progress of construction, kept open thirty days after the close of the year, making all claims after that time null and void?(Section 21-35-23)	<u>X</u>	_____	_____
9. Does claims docket identify the specific fund or bank account from which each individual warrant will be issued? (Section 21-39-7)	<u>X</u>	_____	_____
10. Are all expenditures for donations to organizations (i.e., orchestras, fair associations, etc.) within confines of Sections 21-19-47 through 21-29-59?	<u>X</u>	_____	_____
11. Did no officers or employees of municipalities have personal interest in any profits from contracts with the municipality during a term or one year after a term?(Section 25-4-105)	<u>X</u>	_____	_____
12. Are all expenditures for reimbursements of travel, meals, lodging and other necessary expenses within the limitations set by the State Fiscal Management Board? (Section 25-3-41)	<u>X</u>	_____	_____

Town of Walnut Grove
 (Municipality)
 Municipality Compliance Questionnaire

PART II - CASH (CONTINUED)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
13. Has the municipality complied with Section 21-33-323 in the investment of surplus funds?	<u>X</u>	_____	_____

PART III - PURCHASING AND RECEIVING

1. Are there established purchasing procedures?(Section 31-7-13)	<u>X</u>	_____	_____
2. Has the municipality complied with various purchasing requirements as outlined in Sections 31-7-1 through 31-7-59?	<u>X</u>	_____	_____
3. Are employees authorized to make purchases, informed that it is unlawful to accept gifts from suppliers? (Section 31-7-23)	<u>X</u>	_____	_____
4. Are items subject to state bid price purchased at state bid price or bids in accordance with Section 31-7-13?	<u>X</u>	_____	_____
5. Are two competitive written bids obtained for items purchased costing between \$500 & \$2500? Are these bids awarded by the governing board? (Section 31-7-13)	<u>X</u>	_____	_____
6. Are assets purchased properly identified and accounted for as to source? (Section 7-7-211)	<u>X</u>	_____	_____

PART IV - BOND INDENTURES

1. Has the municipality complied with the provisions applicable to bond issues?(Sections 21-33-301 to 21-33-329)	<u>X</u>	_____	_____
2. Has the municipality levied and collected taxes, in a sufficient amount, for the retirement of general obligation debt principal and interest?(Section 21-33-87)	<u>X</u>	_____	_____

Town of Walnut Grove
 (Municipality)
 Municipality Compliance Questionnaire

PART IV - BOND INDEMNITIES (CONTINUED)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
3. Did the municipality comply with the percentage of taxable property limitations on bonds issued during year? (Section 21-33-303)	<u>X</u>		
4. If there are surplus funds on hand (including escrows, etc.) which have been derived from the sale of bonds, have such funds been invested in accordance with Section 21-33-323?	<u>X</u>		

PART V - TAXES - REAL AND PERSONAL

1. Legal requirement:

Does the municipality post all transactions to a retained copy of the tax receipt?

2. (a) Has the tax roll been equalized and accepted and recorded in minutes in accordance with Sections 21-33-29 through 21-33-39?

(b) Has the Board approved changes to tax roll in accordance with Section 21-33-43?

3. Are interest and penalties being collected on delinquent taxes? (Section 21-33-53)

4. Has the municipality annually conducted a land sale in accordance with Section 21-33-63?

5. Have the various tax collections been properly deposited to the appropriate funds? (Section 21-33-53)

6. Has the increase in taxes, if any, been limited to amounts allowable by law? (Section 27-39-320 and 321)

<u>X</u>		
<u>X</u>		
<u>X</u>		
<u>X</u>		
<u>X</u>		
<u>X</u>		
<u>X</u>		

Town of Walnut Grove

(Municipality)

Municipality Compliance Questionnaire

PART V - TAXES - REAL AND PERSONAL (CONTINUED)

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
7. Have funds to which special tax levies were deposited been maintained in accordance with the purpose of the levy?			
Parks	_____	_____	<u>X</u>
Libraries	_____	_____	<u>X</u>
Debt Service	_____	_____	<u>X</u>
Others	_____	_____	<u>X</u>
8. Has the tax collector complied with Section 21-33-79 for refunds of erroneous-paid taxes?	<u>X</u>	_____	_____