

**BOLIVAR  
TOWN COUNCIL MEETING  
MINUTES  
Tuesday, February 6, 2018 @ 7:30p.m.**

**Helen Dettmer, Mayor  
Sarah Gordon  
John Paul Heafer-Mayor Pro Tem  
Stephen J. Paradis  
Jerry Powell  
Scott Whetsell  
P. Jean Reed, Recorder**

Mayor Dettmer asked everyone to stand for a moment of silence and the Pledge of Allegiance. Mayor Dettmer asked everyone to remember Bolivar's oldest known resident (Mrs. Velma Grace Butler Ott) and her family. She passed away this week at the age of 103.

**Call to Order**

The regular meeting of the Bolivar Town Council was called to order by Mayor Helen Dettmer on Tuesday, February 6, 2018 @7:30p.m. Councilperson Scott Whetsell was not present for this meeting.

**Treasurers Report**

The Treasurers Report for July 1, 2017-January 31, 2018 was presented by Accountant Eric Lewis. Mr. Lewis reported, to date, our total income is \$248,347 and our total expenses are \$235,138 leaving a net income of \$13,209. Our target % is 58% and we are at 56%. Mr. Lewis mentioned Gaming Income is at a surprising 60% and Video Lottery is at 109%. Mr. Lewis asked that next month we discuss the Hotel Motel Tax. **Councilperson John Paul Heafer moved to approve the Treasurers report as presented. Councilperson Jerry Powell seconded the motion. Motion passed.**

**Minutes**

**Approval of Minutes for December 6, 2017 Regular Meeting**

**Councilperson Sarah Gordon moved to approve the minutes of December 6, 2017 Regular Meeting. Councilperson Steve Paradis seconded the motion. Motion passed.  
(No January Meeting due to no business)**

**Attendee Concerns:**

None

**Town Attorney, Dave Hammer**

Attorney Hammer explained the Planning Commission changes. He said our Planning Commission should not be the body that rules on permit applications. We will have to have someone be the official that makes those decisions (Zoning Officer). If an applicant is dissatisfied, then they go directly to the Board of Zoning Appeals. The Board of Zoning Appeals will then decide on the appeal. The Planning Commission's function will be limited to only providing guidance on the comprehensive plan. Mayor Dettmer said John Garza is studying to take this test now. Mr. Hammer said Laura has come up with a way for the town to save money. Laura explained, currently Mr. Garza is currently the Zoning Administrator. Laura is currently the Zoning Commission Clerk and they meet the fourth Monday of each month. I was responsible for the agendas, minutes, questions from citizens and ordinances. These roles have now changed. If these meetings are to be held, other staff members can take care of this. The Planning Commission has their own secretary, so they can take the minutes. Mayor Dettmer said Laura still has to answer the questions from the citizens but maybe not attend the meetings. Attorney Hammer suggested he and Laura meet with John Garza and discuss the duties and also meet with the Planning Commission. We also would like for the Board of Zoning Appeals all meet at the Planning Commission meeting.

### **Mayor's Report**

- Approached by Jennifer Myers, Parks and Rec. and David Cling would like to use Bolivar Community Center for some of their summer programs. This would run from June –August.
- Laura and I went to the Budget Workshop Meeting in Martinsburg Wednesday. We will set dates at the March Meeting for our budget workshop.
- January-Mayor Bishop and I had a meeting. We had discussions about the water department, frozen pipes as the water lines came into people's homes but that was a water department problem.
- Talked a little about the loan for the Water Department.
- Talked about changing Union Street and I told him Union Street is not his call. Union Street belongs to Bolivar, not Harpers Ferry. The Mayor and Council sent Mr. Johnson a card after his accident.
- Met Home Land Security new director Steve Allen
- February 19, Town Offices will be closed for President's Day.
- March 15, Bolivar-Harpers Ferry Public Library will hold a program involving a Story Teller. Handout will be available at the March Meeting.

### **Sheriff's Department Report and Public Comment (Lt. Dave Colbert)**

Lt. Dave Colbert said this was his first time here for Sheriff Dougherty. Councilperson Steve Paradis asked about the pamphlets that were dropped around one street in Bolivar. Mayor Dettmer said we have not heard any more about this situation, it just went away on its own. Mayor Dettmer said she did talk to Mayor Bishop and he felt the same way. Just let it go. Lt. Colbert did say if anyone received any kind of information like this again or someone came knocking on your door, they should immediately be in touch with Sheriff Pete. Attorney Hammer said he appreciated all their work on this matter. He also said we have only heard good things about the job the Department is doing. Mayor Dettmer said we are asking for approval of the Contract for Police Protection for 2018-2019 so when Sheriff Dougherty goes before the County Commission for approval of his budget he will have our information available. Mayor Dettmer asked Attorney Hammer to explain to the new members about this contract since Attorney Hammer wrote this contract, the first of its kind in West Virginia.

- Attorney Hammer said this was the first of its kind in the State.
- A couple of years ago we were notified by our Town Accountant that we would be bankrupt if we continued on this path of expenditure of paying Harpers Ferry Police Department (\$253,080)
- We came up with a plan to negotiate with the County Commission and Sheriff Dougherty to provide services to Bolivar according to State Law.
- We do not have enforcement of our Ordinances in a criminal sense but we do in a civil sense.
- They are much engaged, 24 hours x 7 days a week
- Provides an opportunity to raise any concerns
- This was an Intergovernmental Act.
- Sheriff's Department has always welcomed any question or concern we might have.
- At \$80,000 – we need to enter into a new contract with the Sheriff's Department by April 1.

Mayor Dettmer mentioned cyber crime educational program at Harpers Ferry Middle School as well as many other educational programs provided by the Sheriff's Department. The policing duties do not end at the town limits of Bolivar.

Councilperson Sarah Gordon asked about the Sheriff's duties when we were still paying Harpers Ferry Police Department. Attorney Hammer said when the Harpers Ferry Police Department was not on duty (at night, sometimes over the week-end and after regular hours), the Sheriff's Department was always available for the call. We were paying Harpers Ferry Police Department but not the Sheriff's Department. Attorney Hammer said we have patrols through the week-end and all day from the Sheriff's Department but not one officer or set time for those patrols. We also provide office space here in town hall for the Sheriff's department to meet with any citizens of Bolivar.

Mayor Dettmer said it is up to us, if we see something, say something. We had 746 documented patrols last year. We have many moving parts of this police agreement.

Councilperson Gordon said she called for help once and it took 11/2 hours for someone to respond.

Councilperson Heafer said he had a call once and the Sheriff's Department responded in 5 minutes.

Attorney Hammer said with the money we have saved, we have been able to help other businesses in Bolivar.

Councilperson Steve Paradis said during the last election, the police coverage seemed to be on peoples mind. The perception was we were losing something. Have we gotten any complaints?

Mayor Dettmer said we really haven't gotten complaints. Mayor Dettmer said recently she spoke with a former Mayor who said I know it was not easy and it was a tough decision to make, but you did the right thing. Mayor Dettmer said we did it for the betterment of the people of Bolivar. I feel we are safer, have more and better protection, better response. Mayor Dettmer said when she and Laura met with the State Auditor, he told them there were small towns that went bankrupt and had to close their town halls, took their keys and gave them to the County Commissioners. It scares me to think how close we came to this in Bolivar. This is still the best bang for your buck. When we were trying to decide what to do, we had maybe 12 people sign up to speak, only about 5 were from Bolivar and actually voted in our town election. Many people came to voice their opinions.

Attorney Hammer said we gave the residents several options:

- Fund the Police Department with a levy which would cost \$300 per household
- Levy had to pass by 60% margin (interest for this was almost non-existent)

We were left to sign a contract with the Sheriff's Department for \$80,000.

Councilperson Steve Paradis asked if it would be possible to obtain more patrols.

Lt. Colbert said we will meet with you all anytime to discuss more patrols, budget, time and contracts.

Councilperson Steve Paradis asked if we would give more than \$80,000.

Attorney Hammer said we should all exercise our right in the contract.

Mayor Dettmer asked for a motion to approve the contract with the Sheriff's Department for one year so Sheriff Dougherty can present to the County Commission.

**Councilperson John Paul Heafer moved to approve the Contract with Sheriff's Department for 2018-2019 (Intergovernmental Agreement Between the Jefferson County Commission, The Jefferson County Sheriff's Department and the Corporation of Bolivar for Public Safety Services) Councilperson Steve Paradis seconded the motion. Councilperson Scott Whetsell was absent, four voted in favor and Councilperson Sarah Gordon was not in favor of the motion. Motion passed.**

Again, Lt. Colbert said let's get together and talk.

- REPORT: There were a total of 119 recorded calls of service from January 1-January 31, 2018. The breakdown included: 75 direct patrols, 3 animal complaints, 1 Attempt to locate, 3 custody disputes, 1 Domestic Violence, 1 Motorist Assist, 1 Reckless Driver, 1 Suspicious persons, 1 Theft not in progress, 2 traffic stops, 2 Welfare checks, 1 alarm call, 1 Capias/warrant services, 3 disturbance calls, 1 fight in Progress, 4 Follow up investigations, 1 Motor Vehicle No Injury, 1 Protective Order, 7 Police Service Calls, 1 Suspicious vehicle, 1 threat, 1 Warrant Service, 1 Wildlife Complaint, 2 Writ Services, 2 Miscellaneous. The Jefferson County Sheriff's Office continues to provide the high quality service to Bolivar. If members of the Council and Citizens have a general concern about law enforcement they are asked to call the Sheriff's Office during business hours Monday-Friday 8 AM to 5:30PM and anytime there is an emergency to call 911.

#### **Street Committee (John Paul Heafer)**

The only business Councilperson Heafer had to report was the Guardrail on Jefferson Street was repaired.

#### **Bolivar Planning Commission (Steve Paradis)**

Councilperson Steve Paradis said they did not have a meeting for January.

#### **Parks and Recreation Committee**

No report

#### **Old Business**

##### **1. Discussion of Deer Study**

Laura Park, Coordinator for Harpers Ferry Deer Study gave an overall view of our problem with deer in Bolivar.

- 100 deer/sq. mile
  - We cannot bait in WV
  - 11 zones in Harpers Ferry
  - 1044 residents in Bolivar
-

- 2012 harvested 28 deer, 2017 harvested 11 deer
- Hunters are from the local community
- Rules to follow listed in handout
- If you need to retrieve a deer, call a Park Ranger. Do not go on Federal or Private Property
- Hunters are required to be in stands
- Part of our culture to hunt
- We like deer in town, not so many
- Residents feeding deer is an issue. It is illegal.
- Application due by August 1. Solicit as much information to get out to people, the better.
- No Sunday hunting, late at night or early morning.
- Generally the hunters are out of view of the public.
- This is not a license to trespass.
- Contraceptives are illegal.

Councilperson Jerry Powell said in 2012 hunters had to use arrows with identification (names) on them.

- More comments in 2012. Comment forms were on line this year.
- People have control over this. Are you experiencing damage that is intolerable?

A vote will take place at the March Town Council Meeting. We will need to adjust ordinances and rules for hunting. See *HUNTER REQUIREMENTS AND RULES PERTAINING TO THE TOWN OF HARPER FERRY'S URBAN DEER ARCHERY HUNT*.

## 2. Approve proposal for Office Door

Discussion took place about safety issues and the office door. **Councilperson Steve Paradis moved to allocate and accept bid \$420.00 to modify town office door. Councilperson Jerry Powell seconded the motion. Motion passed.**

Council members decided to table discussion of the hallway door for several weeks. Possibly John Garza and John Paul Heafer will be able to do this work.

## New Business

### 1. Discussion of Flip Flop Festival Events

Sarah Shaffer reported this year organizers of Flip Flop Festival would like for businesses in Bolivar and Harpers Ferry to do their own specials during this event. This could be the kick-off event for most of our summer events such as Music in the Park 4/27/18 or 4/28/18. Maybe this could be the kick-off for the Farmers Market. Everyone could celebrate spring. More information will be coming.

### 2. Employee Years of Service Awards

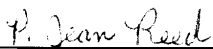
Mayor Dettmer said our three town employees have not received a pay increase for several years. They have only received a 1% or 1 1/2% Service Award. **Councilperson John Paul Heafer moved to give the three town employees a 1 1/2% Service Award. Councilperson Sarah Gordon seconded the motion. Motion passed.**

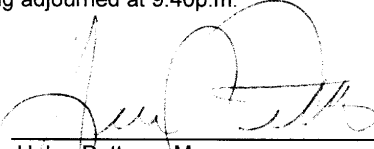
Mayor Dettmer reminded everyone of the Citizens Fire Company Pancake Day on February 13.

## Adjournment

**Councilperson Jerry Powell moved to adjourn the meeting. Councilperson John Paul Heafer seconded the motion. Motion Passed.** Meeting adjourned at 9:40p.m.

Respectfully submitted,

  
P. Jean Reed, Recorder

  
Helen Dettmer, Mayor