

**BOLIVAR  
SPECIAL COUNCIL MEETING  
MINUTES**

Thursday, October 15, 2015 @ 7:00p.m.  
Bolivar Community Center

**Helen A. Dettmer, Mayor**  
**Donna Callar**  
**Tim Collins-Mayor Pro Tem**  
**John Paul Heafer**  
**Chris Higdon**  
**Paul Staubs**

Mayor Dettmer asked everyone was asked to share in a moment of silence and the Pledge of Allegiance.

**Call to Order**

A Special Meeting of the Bolivar Town Council was called to order by Mayor Helen Dettmer @ 7:00p.m. to discuss the following:

1. Potential reconsideration of the denial of the contract with Harpers Ferry
2. Approve date and time for Bolivar "Trick or Treat"
3. Second Ordinance Reading—Repealing of the Bolivar Building Commission.

Mayor Helen Dettmer asked Attorney Hammer to discuss some concerns about the Police Department Contract.

**Attorney Hammer said he had three things to discuss and started by saying the meeting with Harpers Ferry Mayor Vaughn was candid, frank and very helpful.**

1. He said the Harpers Ferry Police Department is stabilized even though one officer was let go, they still have two full time officers and one chief. They expect to maintain the Police Department through this fiscal year of June, 2016.
2. Mayor Vaughn expressed the contract offered to Bolivar would have been through June, 2016. He felt it would be detrimental to both towns to have both towns caught up in this issue for a short period of time. He doesn't feel it is a good idea to have a contract to the end of the fiscal year. He would like to provide stability to the police force, some certainty for the officers as to what their future is, and not have this continuous issue between the two towns starting up again probably in April or May when contract talks start again. Personally, I agree it is not a good thing to have the future of the department at issue to have a lack of stability and it would be beneficial if we are to enter into a contract, to enter into a longer duration rather than a shorter duration. It just makes sense. There are a lot of issues that go into a longer contract. One of those issues would be escalation in costs as time goes by. Another issue is a means to resolve issues that arise over policing services, over expenses. Both Mayors came out of the meeting expecting to explore, first, can we enter into a longer contract and at what price for what service. Can a service contract be a longer contract for services? Can one Council bind another Council to extended service contracts. You can when it comes to a Capital expense such as this building.

**Mr. Hammer passed out WV Code Chapter 8 MUNICIPAL CORPORATIONS-Article 23 INTERGOVERNMENTAL RELATIONS-CONTRACTING AND JOINT ENTERPRISES. (See attached pages 1-6 for complete details)**

**8-23-3 INTERGOVERNMENTAL AGREEMENTS AND CONTRACTS**

You can enter into an agreement with another government agency as long as both agencies agree to the contract. It will take action by Ordinance, resolution or otherwise pursuant to law.

Attorney Hammer mentioned Mayor Vaughn and his wife live in the house that once belonged to her Grandfather who was a councilperson in Harpers Ferry for 37 years. They found old minutes in the house that indicated 100 years ago there were problems between Harpers Ferry and Bolivar over police matters. We have the same problem we had 100 years ago.

- Attorney Hammer said Mayor's Vaughn suggested we enter into a fee for service contract.
- Create an entity to budget, manage and run the police department
- To enter into a longer contract, both parties must vote to approve the longer contract.
- Cannot enter into a contract without sending to WV Attorney General for approval.
- All topics 8-23-3 must be approved by Attorney General for multiple year agreement.
- 11-8-26 must have funds available and approved.
- 11-8-16 Have a levy for funding-no more than 5 years-levy must be voted on-need 60% of the votes to pass.

Councilperson Tim Collins said we needed this information before now.

Mayor Dettmer said these are all viable concerns.

After more discussion back and forth, Attorney Hammer said this will be the Towns' decision.

Attorney Hammer also said we were in violation of the law with the current contract.

The Sheriff's Department will continue to provide protection and we can make a donation.

Attorney Hammer said he would like to put some rumors to rest about record keeping, he feels Mayor Vaughn has been forth coming with good Police records.

Councilperson Tim Collins said our first priority is to go thru the budget, need to make cuts before we ask people to spend more money.

Councilperson Chris Higdon said, we need to consider

a levy to fund

do we want to go on a fee for service-they would provide the service for a fee-

or contract-

level of service-

need time to engage more officers.

**Again see attached 1-6 pages for complete details**

## **2. Approve Date and Time for Bolivar "Trick or Treat"**

Mayor Dettmer announced there would be protection from the Sheriff's Department for Trick or Treating. **Councilperson Donna Callar moved to hold Bolivar "Trick or Treat" from 6:00p.m. until 8:00p.m., Saturday, October 31, 2015. Councilperson Paul Staubs seconded the motion. Motion Passed four to one.** Councilperson Tim Collins voted no.

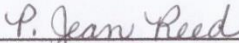
## **3. Second Ordinance Reading—Repealing of the Bolivar Building Commission**

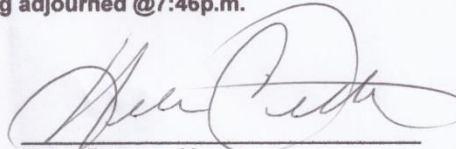
Attorney Dave Hammer read the ordinance repealing the Bolivar Building Commission for the second time. This ordinance will dissolve the Bolivar Building Commission. Final reading will take place at the November 3, 2015 meeting.

## **Adjournment**

**Councilperson Paul Staubs moved to adjourn the meeting. Councilperson John Paul Heafer seconded the motion. Motion passed. Meeting adjourned @7:46p.m.**

Respectfully submitted,

  
\_\_\_\_\_  
P. Jean Reed, Recorder

  
\_\_\_\_\_  
Helen Dettmer, Mayor