

**BOLIVAR
TOWN COUNCIL MEETING
MINUTES
Tuesday, April 3, 2018 @ 7:30p.m.**

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

Councilperson John Paul Heafer was not present for this meeting. Mayor Dettmer asked everyone to remember him and his family. Mayor Dettmer asked everyone to stand for a moment of silence and the Pledge of Allegiance.

Call to Order

The regular meeting of the Bolivar Town Council was called to order by Mayor Helen Dettmer on Tuesday, April 3, 2018 @7:30p.m.

Treasurers Report

No Treasurers report due to absence of Accountant Eric Lewis.

Minutes:

Approval of Minutes for February 22, 2018 Special Meeting

Councilperson Steve Paradis moved to accept the Minutes for the February 22, 2018 Special Meeting as presented. Councilperson Sarah Gordon seconded the motion. Motion passed.

Approval of Minutes for March 6, 2018 Regular Meeting

Councilperson Sarah Gordon moved to accept the Minutes of the March 6, 2018 Regular Meeting as presented. Motion passed.

Approval of Minutes for March 14, 2018 Budget Workshop

Councilperson Steve Paradis moved to approve the March 14, 2018 Minutes of the Budget Workshop as presented. Councilperson Jerry Powell seconded the motion. Motion passed.

Attendee Concerns:

- Benjamin Shankman had questions on why are we trying to institute this tax and why is this tax on only certain types of businesses. For his particular business, this tax, he feels would hurt him and they may choose to take their business someplace else.
- 1. *Attorney Dave Hammer responded by saying Bolivar is the only Municipality in Jefferson County that does not have the Hotel Motel Occupancy Tax. All other municipalities have a 6% tax except Harpers Ferry and they have a 5% tax.*
- 2. *This tax would pertain to Hotels and Motels as defined by the statute (which would probably pertain to his Hostel). This tax is expressly designed to fall on the consumer and not on the owner of the property.*
- 3. *The purpose of the money is 50% goes to the visitor center. The rest would go to benefit parks and other functions in Bolivar such as Arts and performances which will only help businesses in Bolivar.*
- 4. *The issue of AirBnB's is a hot topic. Sheriff Dougherty is undertaking looking at all properties listed as AirBnB's to make sure they are taxed at the appropriate rate.*
- 5. *The first reading of this ordinance will be tonight. Then there will be a public hearing to discuss this ordinance. A final reading of this ordinance will take place later.*

Mayor's Report

- Mayor Dettmer said Tuesday, April 17, 2018 @ 7:00p.m. we will have a meeting for the Laying of the Levy. Law requires this meeting to be held on the 3rd. Tuesday of April.
- Mayor Dettmer asked Laura to update everyone on our budget process. Our Budget was sent to the State Auditor and we were given approval of our budget for the coming year. They thanked us for taking care of this promptly.
- Mayor Dettmer thanked Mr. Courtney for taking care of the latest snow storm.
- Councilperson Jerry Powell attended a Hazzard Medigation Conference for Bolivar.
- Mayor Dettmer hosted a Mayor's get together on March 28 with two Mayors attending. These types of get together help everyone when we discuss similar situations in our county. Mayor Rodgers will host the next get together.
- Today, we started with the first Farmers Market with eight vendors. We will have more to come.
- We will have several vendors for the Flip Flop Festival on April 28.
- Mayor Dettmer thanked Councilperson Scottie Whetsell for his help with the Farmers Market.

Sheriff's Department Report and Public Comment

Sheriff Pete Dougherty thanked Attorney Hammer for his comments about the Hotel Motel Occupancy Tax Ordinance and AirBnB's. The County Commission is looking to revise their ordinance on AirBnB's.

- Sheriff Dougherty said they were here last Friday for the Church Walk down the hill and helped with that.
- Have increased more traffic patrols in Bolivar
- There was a rumor about drug activity in Bolivar with needles found, someone called Sheriff's Dept. to notify and we did not respond. This is totally not true.

1. Any call made to the Emergency Number or Non-Emergency the number is recorded. Sheriff went back and checked these numbers. Someone did find a needle and took it down to Harpers Ferry (liquor store). Harpers Ferry Police took the needle and disposed of it. At that particular time, we were dealing with woman that had a knife, cut herself and was bleeding rather profusely. I thought we had missed the call because of that situation, but in checking the phone calls, there was no phone call made to the Sheriffs Dept. or Emergency numbers until the needle showed up in Harpers Ferry. If you hear concerns about what is or not being done, please let us know. We have added more patrols and will continue to check at any time. We had a serious situation last night that ended up in Maryland, hitting Chief Brown's car, Deputy Sheriff's car and hit an individual's car with no one hurt. Person requested to go to Jefferson Medical Center where he was arrested. Just another day at work.

Attorney Hammer asked Sheriff Dougherty about possibly collecting the Hotel Motel Tax if approved. Since he is the official Tax Collector in Jefferson, he would be willing to do this. See attached Sheriff's report for the month of March, 2018.

Street Committee

No Report due to absence of Councilperson Heafer

Bolivar Planning Commission (Steve Paradis)

- Met last week
- Updated Board of Zoning Appeals on rules and regulations of this group.
- Councilperson Steve Paradis will receive a copy of Ruckman Engineering costs

Park & Recreation Committee

No meeting for this month.

Old Business
None

New Business

1. Introduction of Sandi Marra-Representative from Bolivar to Harpers Ferry Water Commission.

- Sandi Marra introduced herself as Bolivar's Representative to the Harpers Ferry Water Commission.
- She said the Loan has been approved for the upgrade
- Information will come in the April Water Bill and starting May 1, there will be a 5% increase
- In about a year there will be an additional 29% increase.
- Will have much better water
- Will have about 5 miles of new piping.
- Upgrading holding water tanks.

2. First Reading of Bolivar Urban Deer Hunt Ordinance.

Moved to May Meeting

3. First Reading of Bolivar Hotel Motel Occupancy Tax Ordinance

Attorney Dave Hammer said the following:

- We have options
- Have the authority to impose the tax
- Does not have to be 6%, the maximum is 6%
- This includes only the cost of the room
- The statute includes Boarding Houses, Motels, Hotels, Inn, Courts, Condominiums, Cabins, Lodges and Tourist Homes.
- Does not include any facility providing fewer than three rooms in a private home not exceeding a total of ten days in a calendar year.
- For an AirBnB that are occasional (less than 10 days per year) will not apply to
- For an AirBnB that is less than two rooms, it will not apply
- Keep and preserve records (not less than three years). Sheriff's Department has the right to collect this tax
- Law states this tax must not be absorbed by the owner or operator. Tax must be l
-
- isted separate..
- Tax due on or before the 15th of the month.
- We would enter into an Intergovernmental Agreement with the Sheriff. WV7813
- If someone fails to pay, then the Sheriff would enforce the collection.
This tax is tied to Tourism. Promotion of the Arts, Music in the Park, Dramatic Arts and Plays are a few of the things we could have in the near future.

Attorney Dave Hammer said this would be published after the first reading, five days before the 2nd reading and adoption.

Councilperson Steve Paradis had questions about separating of the actual bill and tax. Attorney Hammer said we must follow the State Statute.

Councilperson Sarah Gordon moved to adopt the Hotel/Motel Occupancy Tax @ 5%. Councilperson Scott Whetsell seconded the motion. Motion passed.

Attorney Dave Hammer read the Hotel/Motel Occupancy Tax by title.

4. Betsy Bainbridge, Representative Canal Town Partnership, updates to activities and plans

Laurel Drake spoke about Canal Town Partnership. Each town pays \$500 per year to participate. We are trying to fund a ramp. This gives us a voice. See pamphlets showing points of interest. April 12 we are having Biking on C & O Canal. Harpers Ferry is donating \$500 and we are asking Bolivar to contribute \$500 to the C & O Canal Trust.

Councilperson Steve Paradis said last month we had Mr. McGee asking Bolivar to contribute to the Harpers Ferry Merchants Association and we gave \$400. Laurel Drake spoke and said they are two different groups. One group deals with biking and one with hiking.

5. Presentation by Doug Pixler, Eastern Panhandle Transit Authority route changes & expansions

Mr. Pixler and Elaine Bartleson explained their new routes and expansion of transit service in our area. This will take place on April 16. The updated map will be more user friendly. We have received a 4.5 million dollar grant for our building project. We are working on services due to Marc Train services being cut as of June 30. We are expecting tourists to come in on buses. We are planning bus services to Brunswick, MD. and from Brunswick, MD to Harpers Ferry and Duffields. Mr. Pixler said they will make local matching grants through contracts.

6. Approval of Quote to install new door in hallway leading to Administrative Office in Town Hall

This door is to be installed by John Garza and John Paul Heafer.

Councilperson Steve Paradis moved to allocate and not to exceed more than \$550 for the construction of the new door in the hallway as described here. Councilperson Scott Whetsell seconded the motion. Motion passed.

7. Introduction of Candidates

- **Gary Cogle-Mr. Cogle is running for Jefferson County Chamber of Commerce. Mr. Cogle is a local resident of Jefferson County. He attended local schools. He will be hosting a Meet and Great at the Barn on April 22 from 3:00p.m. to 5:00p.m.**

Mayor Dettmer wanted to mention the:

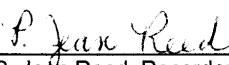
- Voltz March with Zion Baptist Church on April 7
- Flip Flop Festival end of this month

Councilperson Jerry Powell mentioned:


- Mr. Bob Hardy said their was a car parked out in the road as you come up the hill on Washington Street. We will check this out.

Adjournment

Councilperson Scott Whetsell moved to adjourn the meeting. Councilperson Sarah Gordon seconded the motion. Motion Passed. Meeting adjourned at 9:20p.m.



P. Jean Reed, Recorder



Helen Dettmer, Mayor