

**Shepherdstown Town Council Meeting Minutes**  
**Tuesday, January 12, 2021**  
**Zoom Meeting**  
**6:30 p.m.**  
**DRAFT**

**Present:** Jim Auxer (Mayor), Lori Robertson (Recorder), Chris Stroeck, Marty Amerikaner, Cheryl Roberts, Jenny Haynes and Jim Ford

**Absent:** None

**Staff:** Town Clerk Amy Boyd, Public Works Director Frank Welch, and Woody Coe.

**Visitors:** Hoy Shingleton, Jeff Ekstrum, Molly Kramer, J. Slater, Carmen Slater, David Yazvac, Marty and Elise Baach, Mary Fortuna, Danielle Corsetto, Sarah Brumbach, David Decker, Kimberly Winters, Steve Peason, Seth, Jennifer Garholtz, Tabitha Johnston, Pany, Tommy, Alicia, John Bresland, David Rosen, Linda Kato, and 304-839-4636.

**Agenda Items 1 and 2-Call to order/approval of Town Council Minutes (vote required):**

Call to order by Mayor Auxer at 6:30 pm.

**C. Stroeck- move to approve the Town Council Minutes of December 8, 2020. Second by M. Amerikaner. No objections noted.**

**Agenda Item 3 – Public Comment Period:**

- a. Persons who have registered to address Town Council.
- a. None

**Agenda Item 4 - Visitors:**

Visitor’s comments, if any, are logged in under the specific agenda items.

**Agenda Item 5 – Public Hearings:**

- a. Second Reading of an ordinance authorizing amendments to and readoption of the tariff for all users of all water system of the Corporation of Shepherdstown.

<http://www.psc.state.wv.us/MunicipalRates/revisewater2020.pdf>

**L. Robertson – move to open the public hearing. Second by C. Stroeck. No objections noted**

M. Fortuna – spoke to the proposed changes to the water fees. She is not opposed to the increase rather her concern is the lack of the public’s knowledge regarding the increase. She is concerned that there was not enough time from the notice given to now. Many didn’t see the posted notice on town hall. Has concerns about water customers who can’t pay te bill, and there should be a written justification for the increae.

H. Singletary – the water board did get information from the accountant justifying the increase. He explained the that you have to have surplus cash to do a project like tis.

Shepherdstown’s current rates do not meet this standard. A 3% increase is a baselind with 5% giving the corporation a buffer. The process is that the Council adopts it, it is then filed with the public service commission, public notices go out allowing for 30-days to protest it. If not protested it will move forward to answer all public questions. The improvemnts put forth have to be made to maintain helath department rules.

M. Amerikaner – the document referred by M. Fortuna is not required in the first part of this sequence?

Hoy – correct as the test was met in the fall. Rates are uniform throughout the customer base.

D. Decker – a prepared report with historical data was required by Oct. 31. That was a starting poing and the report was completed last week. Shepherdstown will be contributing 50% of the project in cash. 5% covers the debt service only which is the loan to finance the project.

L. Robertson – to be clear, it’s 1% a year for 5 years, and the last increase was in 2016. Hoy – correct.

J. Garholtz – not opposed to the increase. She would like to see early stakeholder engagement; how much is needed, public education, etc. Wants to make sure customers have all of the information they need.

J. Ekstrum – the planning for the this project has been going on since 2012 with a thorough study on the water system and what needed to be priotized. The last item was the actual plant. This has not been sudden. A secondary water source was identified as the Town Run due to the intake valve having to be shut off to the primary water source, the Potmac River. As a result, an intake will be installed on Town Run. Other items needing updated/replaced are the filter media and the controls, ultraviolet disinfection required by the Health Depat., improving solids in the settling tank, and an emergency generatorinstallation.

Mayor – part of the ongoing improvements over the years are the new water towers out by 7-11, a dedicated water line from the plant to the towers – which has resulted in customers not receiving letter any more. We have approx.. 1800 customers. We monitor the Town Run on a daily basis.

Woody – we will have two new river pumps, new actuators, the brain will be new, we deal with sludge removal, and we have the Source Protection Plan-that is about to be re-approved.

Mayor – read an anonymous letter into the record expressing concerns about minerals in the water.

M. Kramer – are the improvements based on new developments and due to new systems we need?

J. Ford – this isn't being done to increase capacity.

K. Winters – is there an options that instaed of 5% can part of it be pahsed in?

D. Decker – 3% is the minimum, any less will not meet the liquidity taet in 1-year, then rates would have to be increased again. The cost of the debt service alone is \$83K. We get \$84K at 5% which just covers it. A lot of tie and effort would be required to go back each year, and then you'd have the cost of the lawyers and engineers.

D. Rosen – where is the 50% cash coming from?

Mayor – money that was paid into the bond that was unused and capacity/improvement feed when someone hooks up to the system.

Pang – when would the increase start?

Hoy – if the Council adopts it there is a 30-day comment period, then he will file it in late February. The Commission

has 270 days to process (bid opening – bond closing) so several months to process – more like July 2021.

D. Rosen – there is a lot of land outside of the corporation where the water sources originate – how is that protected?

Hoy – whether it's in residential or commercial areas there are codes, regulations to cover those protections – there could always be an unforeseen event that could affect it.

J. Ekstrum – source water protection helps cover that – there is criteria that has to be met by DNR, the county, and the corporation. Additionally, there will be testing on the town run to monitor and can then investigate an impact of that testing.

There is a ton of money available for run-off and source waters.

D. Rosen – there are springs at Morgan's Grove park and hopes to get funding to protect those springs.

C. Stroeck – inquired about return check fees.

Mayor – the town doesn't make any money on any bank fees.

C. Stroeck – the upgrades equate compliance to water protection laws.

J. Eksstrum – yes, the ultraviolet disinfection system is one of them – it is an additional barrier against water borne pathogens-allows us to comply. The filters and controls needed nothing done since 2003 – now they do.

J. Garholtz – will there be a runaway increase effect down the road – additional projects?

J. Ekstrum – the commission won't let Shepherdstown raise rates unnecessarily. This increase allows more distribution needs, fire protections, and at lower interest rates.

**L. Robertson – moves to close the public hearing. Second by C. Roberts.**

**L. Robertson – move to approve the Second Reading of an ordinance authorizing amendments to and readoption of the tariff for all users of all water system of the Corporation of Shepherdstown.**

<http://www.psc.state.wv.us/MunicipalRates/reviseWater2020.pdf>

**Second by J. Ford. No objections noted via an individual show of hands.**

**Discussion –**

C. Stroeh – has had great discussions with the public and the water board. Upgrades are needed and required. He is concerned with the outreach to the public. We met the minimum requirements and could do more going forward.

**Agenda Item 6 – Unfinished Business:**

- a. None

**Agenda Item 7 – Old Business:**

- a. Email list policy –  
M. Amerikaner – has been working with Amy Boyd to create a test email that will be going out soon. Multiple emails will be able to be added. Would like to eventually open the email distribution to a larger database.
- b. Website redesign – Draft REP  
J. Ford – each month more content will be in your packet in preparation.
- c. Grant Committee  
C. Stroech – looking great. Mary Fortuna and Delores Gregory have joined the committee. They are pulling together a working framework and sources – good progress.

**Agenda Item 8 – New Business: N**

- a. Shepherdstown Public Library – Shred truck  
S. Brumback – will have a shredding truck to securely shred papers and recycle. Date is May 8, 2021 from 11 a.m. – 1 p.m.  
**C. Roberts – move to approve the Shepherdstown Public Library shred truck. Second by J. Ford. No objections noted**

**Agenda Item 9 – Mayor’s Report:**

- a. COVID-19 Information - please visit the town website. There is lots of updated information there.
- b. Visitor's Center – there is a plan for the future of the library in February in conjunction with the county.
- c. Trash – please pick it up.  
Dogs – please clean up after your dog.  
Cigarettes – please use the recycling receptacle for cigarettes that are all around town.  
Glass and trash – there is a lot of glass and trash being placed in our bins illegally. Not referring to tourists.

**Agenda Item 10 – Reports of Committees:**

**A. Finance Committee:**

- 1. No December meeting
- 2. Finance Reporting:
  - 3. Recommendations
    - a. None

**B. Parking Committee:**

- 1. No December meeting
- 2. Recommendations: None

**C. Police Committee:**

- 1. No November meeting
- 2. Police Department Monthly Report
- 3. Recommendations: None

**D. Parks and Recreation Committee:**

- 1. No December meeting – next meeting February 2021
- 2. Recommendations:
  - A. None

**E. Public Works Committee:**

1. No December meeting.
2. Recommendations:  
None

**F. Path Advisory Committee**

Did not meet in December.

**Agenda item 11 – Report of Commissions, Authority and Boards:**

**A. Historic Landmarks Commission:**

1. Meeting minutes of December 2020
2. Recommendations:
  - a. None

**B. Planning Commission:**

1. Meeting minutes of December 2020 – not available
2. Recommendations:
  - a. Appointment of new member – Carmen Slater  
**J. Ford – move to approve Carmen Slater to Planning Commission. Second by C. Roberts. No objections noted.**

**C. Tree Commission**

1. Meeting minutes of November – Next meeting March 2021
2. Recommendations: None

**D. Water and Sanitary Board:**

- 1 – Meeting minutes of December 2020
- 2 – Recommendations:
  - a. NONE

**E. Board of Appeals**

**L. Robertson - if there are no objections, the meeting is adjourned at 7:54 p.m. No objections noted.**

Draft Minutes respectfully submitted by L. Robertson, Recorder for the Corporation of Shepherdstown.