

For “in-person” meetings, persons who are not on the agenda but wish to address the governing body must register to speak at least 15 minutes prior to the start of the meeting. For Zoom meetings, the Mayor will canvas attendees for those wishing to speak. Time limits will be imposed. Written comments and/or questions to be addressed at the meeting, must be submitted to jimauxer@yahoo.com 24 hours before the meeting. Requests for copies of documents related to agenda items must be made in writing at least 24 hours in advance of the meeting, not during the meeting. **NOTE: Council members are elected to represent citizens of the Corporation of Shepherdstown, please contact them regarding any questions or comments you may have about the agenda items. This Council follows Robert’s Rules of Order (Revised).**

THE MEETING IS STREAMED ON THE TOWN’S FACEBOOK PAGE
“SHEPHERDSTOWN, WEST VIRGINIA”

TOWN COUNCIL MEETING AGENDA

Tuesday, May 10, 2022

6:30 p.m.

LOCATION: TOWN HALL

104 NORTH KING STREET

MASK WEARING IS OPTIONAL

1. Call to order
2. Approval of Town Council Meeting Minutes of April 12 and 19, 2022
3. **Public Comment Period**
 - a. Persons who have registered to address Town Council.
4. **Visitors**
5. **Public Hearings**
6. **Unfinished Business**
 - a. Dog Fest - update

7. Old Business

- a. Reminder - Tuesday, June 7, 2022 is the Municipal Election for Mayor, Recorder and Council
- b. DNR Proposal – be sure to visit the site at the Tobacco Warehouse/boat ramp prior to the meeting

8. New Business

- a. Endo Settlement
- b. Relay For Life Proclamation

9. Mayor's Report

10. Reports of Committees

A. Finance Committee

- 1. No meeting April 2022
- 2. Recommendations: NONE

B. Parking Committee

- 1. No meeting in April 2022
- 2. Recommendations: NONE

C. Police Committee

- 1. Meeting minutes of April 2022
- 2. Recommendations: NONE

D. Public Works Committee

- 1. Meeting minutes of April 2022
- 2. Recommendations: NONE

E. Parks and Recreation Committee

- 1. Meeting minutes of April 2022- not available
- 2. Recommendations: NONE

F. Grants Committee

1. No meeting in April 2022
2. Recommendations: NONE

11. Report of Commissions and Boards

A. Tree Commission

1. Meeting minutes of April 2022 – not available
2. Recommendations: NONE

B. Water and Sanitary Board

1. Meeting minutes of April 2022
2. Recommendations:
 - a. New member appointment

C. Historic Landmarks Commission

1. Meeting minutes of April 2022 – not available
2. Recommendations: NONE

D. Planning Commission

1. Meeting minutes of April 2022 – not available
2. Recommendations: NONE

E. Board of Appeals

Shepherdstown Town Council Meeting Minutes
Tuesday, April 12, 2022
Town Hall
104 North German Street
6:30 p.m.
Mask Wearing is Optional
Also being streamed on the town's Facebook page "Shepherdstown,
West Virginia"
DRAFT

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

Absent: None

Staff: Town Clerk Amy Boyd and Zoning Officer Andy Beall.

Visitors: Peter Smith, Connie Heyer, John Meeker, Steve Pearson, Jefferson County Commissioner Steve Stolipher, Sally Brasher, Holly Frye, Ross Morgan, and Leah Rampy.

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.

Approval of the Town Council Meeting Minutes of March 8, 2022 and the Special Town Council Minutes of March 23, 2022.

C. Roberts- move to approve Town Council Draft Minutes of March 8, 2022. Second by M. Amerikaner. No objections noted.

C. Stroeck – move to approve the Special Town Council Draft Minutes of March 23, 2022. Second by J. Ford. No objections noted.

Agenda Item 3 – Public Comment Period:

- a. Persons who have registered to address Town Council.

b. **Agenda Item 4 - Visitors:**

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

a. Steve Stolipher – Jefferson County Commission – EMS Services

He spoke to the Fitch Report and to answer questions. Several models from the Fitch Report were suggested to the Jefferson County Commission (JCC). The county provides paid EMT's and some Fire staff. The ambulances run with paid and volunteer staff. Fitch suggested the JCC purchase ambulances and then bill the departments, but the details are still being worked out.

M. Amerikaner – the concern is in the average response time, the 90% response time, between now and what the Fitch Report is suggesting. It's a response time difference of 9 minutes to 15 minutes.

S. Stolipher – the 90% response time takes in anywhere in the county as an average-still working through it. Nothing should change in Shepherdstown. There would be an MOU (Memo of Understanding) with the volunteers to ride the county ambulances. Currently, there are 4 stations that are staffed 24/7 and 1 station (Harpers Ferry) that is staffed for 12 hours.

C. Roberts – people have real fears of ambulances having to come from afar if Shepherdstown is tied up.

H. Frye – there is a concern at Shepherd University – will Shepherdstown ambulances be called out if others are busy?

S. Stolipher – in a perfect world, no, but it could happen. The stats show that 3 ambulances cover 97.9% of the county calls, 4 cover 99.95 of the calls, and 5 cover 100% of the calls.

H. Frye – the Fitch Report is misleading – a recent wreck had 4 ambulances on site. In 2020, SU had an ambulance come to campus 20 times.

L. Robertson – to clarify, what is the number of ambulances Fitch wants the county to go down to?

S. Stolipher – it has not been determined yet. He would not vote on any less than what we have now.

H. Taylor – has the Fitch Report taken into account the rise in population?

S. Stolipher – the county would possible have to buy more if the call volume increases with an increase in population.

Fire Chief Morgan – A cardiac arrest demands two ambulances.

Sharpsburg can help, but Berkeley County won't cross county lines. The JCC and Fitch are all about efficiency and dollars. The fire

departments are all about patient care. The departments are looking at a plan for revenue sharing. Money is there for day-to-day operations, not as profit. Fitch doesn't know how Jefferson County operates Mayor – there is a meeting next Thursday at the fire department that is not open to the public, no decisions are to be made Thursday.

S. Stolipher – to respond to Chief Morgan, all 7 fire departments feel differently. Shepherdstown Fire Department is top notch, one of the best in the state, and is run like a well-oiled machine. Other stations are not run as well.

M. Amerikaner – Jefferson County is projected to grow and the largest age group is 65 and above. Any risk to decrease services to the largest demographic is concerning.

S. Stolipher – Shepherdstown, Ranson, and Harpers Ferry are classified as 'red' areas and will receive max service. Fitch shows where the services need to be.

C. Heyer – what happens when other areas need our help, and why can't other stations recruit like Shepherdstown? Who has the final say?

S. Stolipher – yes, Shepherdstown will help, not sure about the recruitment, and the JCC has final say.

b. Hali Taylor – Shepherdstown Public Library Update and Funding Request

H. Taylor introduced Sally Brasher as a new member of the board. Hali gave a brief history and benefits of the library after its founding in 1922 by the Shepherdstown Women's Club. The library must have a funding authority. In 1970 a funding authority was established and started getting funding from the state. It also gets funding from Shepherdstown and the county, as it's a regional library, serving the region. The library acquired the brownfield off Lowe Drive and raised over \$600K. It was cleaned up and \$3.4 million dollars was raised for the building. The library has not received an increase in funding from the corporation in 9 years, or the county in 7 years. We are in the bottom 5 in local funding, it's at \$6 per capita. We are asking for an increase from \$800 a month to \$1600 a month, snow removal, and mowing as needed.

Mayor – corrected the monthly amount currently given from \$800 to \$900. He suggested this go to the Finance Committee once the driveway is done to have Public Works assess it, and then it would have to become a budget item if recommended.

J. Haynes – is this a one year request?

H. Taylor – no, for a lifetime. It's in the document.

J. Ford – the mandatory funding is not in the document. Have you reached out to the local HOA's for funding as the library serves the region? There are approximately 800 residents in Shepherdstown and they will be paying more than others in the county.

L. Robertson – is there a proposed budget for the new library? That should be submitted.

H. Taylor – yes.

Agenda Item 5 – Public Hearings:

- a. Second Reading of An Ordinance Re-enacting Section 7-120 of Chapter 1, Title 7 of the Code of Shepherdstown, West Virginia, to Revise the Gender Identification and to Confirm to the Corresponding State Statute, West Virginia Code 61-8-16
Mayor – this is to bring our code to state code.
- b. **L. Robertson – move to approve the Second Reading of An Ordinance Re-enacting Section 7-120 of Chapter 1, Title 7 of the Code of Shepherdstown, West Virginia, to Revise the Gender Identification and to Confirm to the Corresponding State Statute, West Virginia Code 61-8-16. Second by C. Roberts. No objections noted.**
- c. First Reading of An Ordinance to Enact Chapter 5, Title 3 of the Code of Shepherdstown as the Outdoor Dining Act.

Discussion – J. Ford – this is for establishment who wants to have a table on the sidewalk.

C. Stroeck – the goal here is to be consistent with everyone abiding by the new rules, not different rules for different folks. All will be required to get a permit. He is satisfied with ABC's response, or as good as we are going to get from them, as they are ok with what we are proposing.

M. Amerikaner - 36" is for the ADA. 48" is from the curb and mirrors the Title 9 Ordinance. Can try it for a year.

C. Roberts – lets try it.

C. Heyer – all restaurants were notified of what is being proposed.

J. Haynes – made a motion to approve the First Reading of An Ordinance to Enact Chapter 5, Title 3 of the Code of Shepherdstown as the Outdoor Dining Act. Second by M. Amerikaner. No objections noted.

Agenda Item 6 – Unfinished Business:

a. Dog Fest – update

C. Heyer - The date has been moved from June 4th to June 11th. They will still use the front of town hall for music so they can plug in for the sound system. The bathrooms will go behind town hall in the parking lot. The parade will be at noon going from behind the library crossing German St. to N. King. We need German closed for a little bit to allow the dogs to cross it for the parade. Fencing for the beer garden has been ordered and will be secured by weighted posts. They will be using 2-3 parking spaces in from the alley for the beer garden. All cans for beer no bottles. No dogs in the beer garden. The end time for the event is 6 pm and will then tear down.

The set up is at 8 am and the police will close King the night before. Will need trash and recycling bins from Public Works.

L. Robertson – mentioned that she would send a reputable link for an organization helping to save dogs in Ukraine.

Maybe people can donate during Dog Fest.

L. Robertson – move to approve the Dog Fest date change from June 4th to June 11th. Second by C. Roberts. No objections noted.

b. Street Fest – update

J. Meeker – the fundraising is going well. The shuttle bus is procured and the SU lots are open. The Kids Camp will be on the lawn at McMurran. Need to close N. King St. Friday, June 24th by noon to the alley to allow the generator, port-a-potties and stage to be placed, and S. King St to New St also by noon to allow the trash/recycling bins to be placed and Public Works to bring in the dump truck with the fencing/posts. Public Works will remove the truck after it is unloaded early Saturday morning.

We have to get permission to close German St?

A. Boyd – yes-reach out to me.

L. Robertson – Church St remains open to allow movement of cars to either go straight to access High St. or turn up German to access Duke. It's also the part of the Shuttle route to turn up German to access Duke. The shuttle cannot go from German to High via Church Street as it's too narrow. Church to S. Princess on German is closed for the festival. German Street and S. King need to be reopened by 10 pm. June 25th. N. King is opened as soon as the stage is removed. German from Church to S. Princess is closed at 6 am June 25th to allow vendors to arrive and set up. SSF needs to contact the residents on S. King to give them a heads up, and put flyers on the cars on German St as a reminder to the residents who park there.

C. Roberts – move to approve the street closures and times mentioned above for Street Fest. Second by J. Haynes. No objections noted.

Agenda Item 7 – Old Business:

- a. Reminder – Tuesday, June 7, 2022 is the Municipal Election for Mayor, Recorder, and Council.

Agenda Item 8 – New Business:

- a. Event Request –
 - 4th of July Parade –
P. Smith – the parade will be from 11-11:45 a.m. with set up from 8:30-noon.

**C. Roberts – move to approve the 4th of July Parade
Second by J. Haynes. No objections noted.**

- b. Congressionally Directed Spending.
Mayor – we have already utilized it through Parks & Rec, and the Waste Water project (\$9 million)

Agenda Item 9 – Mayor's Report:

- April 19th is a Special Town Council Meeting at 5:30 for Laying of the Levy, the DNR Lease, and possibly the second reading of the Outdoor Dining Ordinance.
- Tobacco Warehouse – the design team visited-no update since the visit.
- May Day is May 1st at noon and Arbor Day will be celebrated as well. Shepherdstown will be a Tree City for the 15th year.
- Back Alley Garden Tour is coming along.
- Two weeks ago, Chief Mike King was awarded the Policeman of the Year at the VFW in Charles Town. It's the 3rd year for a Shepherdstown police officer to receive this honor.

Agenda Item 10 – Reports of Committees:

A. Finance Committee:

1. Meeting minutes of March 2022
2. Finance Reporting:
3. Recommendations
 - a. None

B. Parking Committee:

1. No March 2022 meeting
2. Recommendations: None

C. Police Committee:

1. No March 2022 meeting
2. Recommendations: None

D. Parks and Recreation Committee:

1. Meeting minutes of March 2022 - not available
2. Recommendations:

- a. None

E. Public Works Committee:

- 1. Meeting minutes of March 2022
- 2. Recommendations:
None

F. Path Advisory Committee

- 1. No meeting in March 2022
- 2. Recommendations:
 - a. None

G. Grants Committee

- 1. No meeting in March 2022
- 2. Recommendations:
 - a. None
 - 3. C. Stroeck – AED Grant has been awarded. Wants to talk about the State of the Committee, but not this evening. The Covid Relief Fund has had no applicants to date – there is \$60K there for qualified applicants.

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

1. Historic Landmarks Commission:

- 1. Meeting minutes of March 2022 – not available
- 2. Recommendations:
 - a. None

2. Planning Commission:

- 1. Meeting minutes of March 2022 – not available
- 2. Recommendations:
 - a. None

3. Tree Commission

- 1. No meeting in March 2022 - not available
- 2. Recommendations: None

4. Water and Sanitary Board:

- 1 –Meeting minutes of March 2022
- 2 – Recommendations: None

4. Board of Appeals

- 1. No meeting scheduled

L. Robertson – move to adjourn at 8:21 p.m. Second by J. Haynes. No objections noted.

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

Special Town Council Meeting

Tuesday, April 19, 2022

5:30 p.m.^[1]_{SEP}

Town Hall

104 North King Street

Also being streamed on the town's Facebook page "Shepherdstown,
West Virginia"
DRAFT

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

Absent: Cheryl Roberts

Staff: Amy Boyd – Town Clerk, Frank Welch – Director of Public Works, and Andy Beall – Zoning Officer.

Visitors: – Town Attorney Chazz Printz, Leah Rampy, and Christine Marshall.

Agenda:

1. Call meeting to order^[1]_{SEP}
Call the meeting to order by Mayor Auxer at 5:30 p.m.
2. Laying of the Levy 2022-2023 Fiscal Year (vote required) – Mayor – this is the breakout of real estate taxes to receive from the state.
C. Stroeck– move to approve the Laying of the Levy 2022-2023 Fiscal Year. Second by L. Robertson. No objections noted.
3. Public Hearings:
 - a. Second Reading of An Ordinance to Enact Chapter 5, Title 3 of the Code of Shepherdstown as The Public Sidewalk Dining Ordinance.

It was asked if the boundary regulation could be waived, but it can't, as it's an ABC requirement. Also, what if a tree gets in the way of compliance? Can the tree be cut down or use bricks to help comply?

Mayor - no trees will be cut down.

C. Stroeck - we have looked into it, the narrow sidewalks, and think it can be done with bricks or a material that covers the roots.

C. Stroeck - moved to approve the Second Reading of An Ordinance to Enact Chapter 5, Title 3 of the Code of Shepherdstown as The Public Sidewalk Dining Ordinance. Second by J. Ford. No objections noted.

- b. Renewal of a lease agreement between the Corporation of Shepherdstown and the State of West Virginia, Department of Commerce, Division of Natural Resources. The lease renewal agreement pertains to the Town leasing to the State of West Virginia, acting by and through the Department of Natural Resources, a public access site to the Potomac River on a tract of 1.256 acres located on the west bank of the Potomac River at the mouth of Town Run and bordered by New Princess Street in Shepherdstown Corporation District, Jefferson County, West Virginia. The term of the lease is 10 years.

C. Printz - the lease goes back decades between the DNR and the Corporation - since 1990 with the boat ramp being used for fishing and boating.

There are three items of note:

- 1- DNR wanted a 20-year lease are we settled on a 10-year lease.
- 2- There was an inconsistency regarding the notices required. We settled on 60-days instead of 30-days.
- 3- The proposed use of the Tobacco Warehouse- allows an assignment from the DNR with the Corporation's prior consent. It allows a sub-lease to another entity. For example: if Ascend needs construction parking or added parking. Again, nothing can be implemented without the consent of the Corporation.

J. Ford noted it is written in the lease "removal of access". What does that entail?

C. Printz – they can do that as long as we approve it.

C. Marshall – the sublease – could they sublet to a commercial entity?

Mayor – only with prior town council approval.

C. Stroeck – we have absolute control?

C. Printz – yes, we have total control over the property. We are also required to mow and take care of the trash around the boat ramp area.

Mayor – the town still has had no recent contact from Ascend.

M. Amerikaner – move to approve the Renewal of a lease agreement between the Corporation of Shepherdstown and the State of West Virginia, Department of Commerce, Division of Natural Resources. The lease renewal agreement pertains to the Town leasing to the State of West Virginia, acting by and through the Department of Natural Resources, a public access site to the Potomac River on a tract of 1.256 acres located on the west bank of the Potomac River at the mouth of Town Run and bordered by New Princess Street in Shepherdstown Corporation District, Jefferson County, West Virginia. The term of the lease is 10 years. Second by J. Ford. No objections noted.

4. Adjournment.

C. Stroeck – move to adjourn at 5:45 p.m. Second by M. Amerikaner. No objections noted.

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

Find messages, documents, photos or people



Home

Today's top Bear The Time Has Co Today's quote: "I Commencement Shepherdstown (Ram)

Compose

Back Archive Move Delete Spam 2

parking opportunities

Inbox

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Drafts 9/5

Sent

Archive

Spam

Trash

Less

Views

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Photos

Documents

Subscriptions

Deals

Groceries

Receipts

Travel

Folders

Show



Keplinger, Brandon J <brandoi
To: jimauxer@yahoo.com,
fwelch@shepherdstown.us
Cc: Scott, Mark T,
Brown, Zack J



Fri, Apr 29 at 2:42 PM

Hello folks,

Hope the warmer weather is treating you well!

My name is Brandon Keplinger and I am the District Fisheries Biologist for the WV DNR in the Eastern Panhandle. I was wondering if the City of Shepherdstown would potentially entertain the idea of an auxiliary parking lot that could be constructed to the east of Town Run on the adjacent property parcel (**Parcel ID: 19-10-0001-0050-0000**) to the one that currently harbors the boat ramp and some parking. I realize that this is a very popular site for an impressive fishery. I also realize that many anglers have felt that parking at this location has been lacking for quite some time. I have communicated with administrative and capital improvements staff in my agency, and we think that this would be a good time (in between lease agreements and active construction at the Shepherdstown site) to consider parking upgrades. I believe that we would entertain partnering to complete this, including the potential bridge construction across Town Run to reach a dedicated parking area for the site for boaters and riverside anglers.

Is this something that you believe the city would entertain?

I appreciate you folks' time for considering this. Please let me know if this recreational facility endeavour is of interest.

Best wishes,

BRANDON J KEPLINGER, DISTRICT FISHERIES BIOLOGIST
WILDLIFE RESOURCES - DISTRICT 2
ph (304) 822-3551 | fax (304) 822-7331
brandon.j.keplinger@wv.gov
1 Depot Street | Romney, WV 26757

**Brandon J. Keplinger**

brandon.j.keplinger@wv.gov
+ Add to contacts

Amy Boyd

From: Chazz Printz <cprintz@bowlesrice.com>
Sent: Thursday, April 21, 2022 2:25 PM
To: Amy Boyd
Subject: RE: Endo Settlement

Amy-

I have reviewed the letter from the AG's office and the attachments. Even though Shepherdstown did not join in any of the opioid litigation, it appears from my reading of the documents that it may be eligible for some of the abatement funds. The cover letter is not entirely clear whether "participating local governments" include those municipalities which did not litigate. In any event, I recommend that Town Council consider authorizing the Mayor to execute and return both the Local Government Election and Release Form and the MOU within the time provided for doing so. If there are funds available, Shepherdstown cannot qualify unless it returns the signed forms.

Chazz

Charles F. Printz, Jr.

Bowles Rice LLP
cprintz@bowlesrice.com
101 S. Queen Street | Martinsburg, WV 25401
Tel: (304) 264-4222 | Fax: (304) 267-3822
Bio | vCard

Bowles Rice

CONFIDENTIAL AND PRIVILEGED: This e-mail is confidential and privileged, and intended only for the review and use of the addressee(s). If you have received this e-mail in error, please notify the sender at (304) 264-4222 or by e-mail at cprintz@bowlesrice.com. Thank you.

From: Amy Boyd <clerk@shepherdstown.us>
Sent: Thursday, April 21, 2022 1:44 PM
To: Chazz Printz <cprintz@bowlesrice.com>
Subject: Endo Settlement

Hello Chazz:

Could you please review and comment?

Thanks,

Amy L. Boyd, Town Clerk
Corporation of Shepherdstown
104 North King Street
P.O. Box 248
Shepherdstown, WV 25443
Office: 304-876-2398
Website: www.shepherdstown.us

PATRICK MORRISEY
ATTORNEY GENERAL

PHYSICAL ADDRESS:
1900 Kanawha Blvd., East
State Capitol Complex
Building 6, Suite 401
Charleston, WV 25305

MAILING ADDRESS:
P.O. Box 1789
Charleston, WV 25326-1789

E-Mail: consumer@wvago.gov
<http://www.wvago.gov>



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL

Consumer Protection
and Antitrust Division
(304) 558-8986
Consumer Hotline
1-800-368-8808
Preneed Funeral Services
(304) 558-8986
Senior Protection Hotline
(304) 558-1155
Fax: (304) 558-0184

Dear Mayor/County Commissioner:

West Virginia has been the epicenter of a national opioid crisis that has ravaged communities and families for over two decades. Numerous lawsuits have been filed by our local communities and by my office against companies in the opioid supply pipeline. I commend our community leaders for taking an active role in seeking to hold these companies accountable for creating this epidemic.

As I am sure you are aware, earlier this year, my office and numerous cities and counties announced the West Virginia First Memorandum of Understanding ("MOU"), which sets out how opioid settlement and judgment dollars from an opioid supply chain participant, like Endo, will be allocated among the State and its communities. Under the MOU, funds are split between abatement, cities and counties, and the State. The MOU creates a non-profit, non-stock foundation to fund opioid abatement statewide, including in your region. The foundation will be led by talented, experienced health care professionals who will consider the needs of communities all across the state. I am confident that the foundation's work, combined with direct payments to our local governments, will have a meaningful impact on abating the opioid epidemic in West Virginia. I ask that your community support the plan by electing to participate in the MOU. A copy of the MOU is attached for your review, along with a signature page. Our records do not show your local government as represented by counsel relating to opioid litigation; if that information is not correct, please provide this information to your counsel.

More recently, my office announced a \$26 million statewide settlement with opioid manufacturers Endo Health Solutions and Par Pharmaceuticals ("Endo Settlement"). The Endo Settlement is a major milestone for West Virginia and will provide much-needed abatement dollars to communities throughout the state. We now ask for your assistance in finalizing this historic settlement through execution of an election and release form.

Under the settlement, participating local governments who execute an election and release form are eligible for direct payments from the amount set aside for remediation, which is \$23,920,000.00. For the Endo Settlement, 72.5% goes to the West Virginia First Abatement Fund and 24.5%, or \$5,860,400, goes to local governments.

Attached you will find a copy of the Endo Settlement and its exhibits, including a West Virginia Local Government Election and Release form. In order to ensure that your community receives the maximum benefit under the Endo Settlement, **please have your council/commission vote on the MOU and the Endo settlement terms and, if your community supports these agreements, please return the executed MOU signature page and the West Virginia Local Government Election and Release Form to my office no later than June 1, 2022 using the following address:**

Via mail or email to:

Attn: Paula Price
Office of the West Virginia Attorney General
P.O. Box 1789
Charleston, WV 25326
Paula.J.Price@wvago.gov

If you have questions, please contact Ann Haight or Vaughn Sizemore at our Consumer Protection Division, 304-558-8986.

A handwritten signature in dark ink, appearing to read "Patrick Morrissey", with a stylized flourish at the end.

Sincerely
Patrick Morrissey
Attorney General

WEST VIRGINIA LOCAL GOVERNMENT
ELECTION AND RELEASE FORM

This Election and Release Form for West Virginia Participating Local Governments resolves opioid-related Claims against Endo/Par under the terms and conditions set forth in the Endo/Par West Virginia State-Wide Opioid Settlement Agreement executed on March 30, 2022 (the "Agreement"), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Local Government agrees that, in exchange for the consideration described in the Agreement, the Participating Local Government is bound by all the terms and conditions of the Agreement. By executing this Election and Release Form, the Participating Local Government submits to the jurisdiction of the panel overseeing the mass litigation proceeding captioned *In re: Opioid Litigation*, Civil Action No. 19-C-9000, in the Circuit Court of Kanawha County, West Virginia (the "Court"). To the extent the Participating Local Government has asserted Claims against Endo/Par in Actions that are pending before the Court, the Participating Local Government hereby grants all necessary right and authority to the West Virginia Attorney General to seek dismissal of the Participating Local Government's Action through the submission of the Consent Judgment as contemplated in the Agreement. If the Participating Local Government's Action is pending in another court as of the Effective Date, the Participating Local Government hereby agrees to dismiss (or if necessary move to dismiss) that Action as to Endo/Par and any other Released Entities within seven (7) business days of the Effective Date.

Dated: _____

LOCAL GOVERNMENT

BY: _____
PRINTED NAME: _____
TITLE: _____
ADDRESS: _____

TELEPHONE: _____
EMAIL ADDRESS: _____

WEST VIRGINIA FIRST
MEMORANDUM OF UNDERSTANDING

The City, Town or Village of _____, having considered the terms of the West Virginia First Memorandum of Understanding (MOU) and having voted in the affirmative, hereby approve the MOU. We understand that the purpose of this MOU is to permit collaboration between the State of West Virginia and its political subdivisions to create an effective means of allocation of judgments and/or settlements received from pharmaceutical supply chain participants in a manner that will promote an effective and meaningful use of the funds in abating the opioid epidemic throughout West Virginia.

Mayor (signature)

Mayor (printed)

On behalf of the _____ City/Town/Village Council

DATE: _____



Relay For Life of Jefferson County Paint the Town Purple Proclamation

American Cancer Society (ACS) Relay For Life Proclamation for Shepherdstown, WV.

WHEREAS, the Relay For Life movement is the world's largest peer-to-peer fundraising event dedicated to saving lives from cancer;

WHEREAS, Relay For Life of Jefferson County is an opportunity to celebrate people who have been touched by cancer, remember loved ones lost, and take action for lifesaving change;

WHEREAS, funds raised at Relay For Life events help the ACS fund and conduct breakthrough research, and give cancer patients and their families the resources they need, like free rides to chemo, free places to stay near hospitals, and a live 24/7 helpline for answers and support;

NOW, THEREFORE, BE IT RESOLVED, that I, Jim Auxer, Mayor of Shepherdstown, do hereby proclaim June 4 – 11, 2022 as,

Paint the Town Purple Week

in Shepherdstown and encourage citizens to let their passion inspire them to join the Relay For Life movement by decorating with purple awareness ribbons, starting or joining a fundraising team, making a donation, and/or attending the Relay For Life event at TA Lowery Elementary School on June 11th beginning at 4 pm.

Adopted on the 10th of May, 2022.

Arthur J. Auxer, III
Mayor for the Corporation of Shepherdstown

Police Committee Draft Minutes

Thursday, April 14, 2022

12:00 P.M.

Town Hall – 104 North King Street

Members Present: Mayor Jim Auxer, Lori Robertson and Chief King

Staff Present: None

Absent: Cheryl Roberts

Visitors: Marc Alain Petitpierre

1. Meeting was called to order by Mayor Auxer at 12:07 p.m.

2 & 3 - Update on COPS Grant and Future staff vacancies – Chief – the
Feds have opened the applications. Madge Morningstar is writing for
us. This is for 2 officers. We will be applying with Shepherd University
together as it will give both of us a better chance. The government
pays for 2 years worth of salary and benefits. The town picks up the
uniforms and equipment. We will be looking for certified officers. We
are preparing for the future staff vacancies with the expected
retirement of at least two of our current officers.

* Also, there has been a nationwide increase in pedestrian fatalities.

* New officer, Bryce Dickens is all trained. He did all of the written
tests, firearms, and online tests required of him.

* All of the police ordinances have been updated. To note: other
municipalities are looking at our 4th of July ordinance.

* Addictions – we have had 3 overdoses in town in 12 months.
Fentanyl is the leading cause. If we would have 4-6 overdoses in a 24-
hour period, the DEA can offer assistance. It would be good to do
some public education. The Train Station would be the best place to

offer it – maybe do it once a month. WV is sorely lacking for those with mental health issues.

The Suicide Walk is May 15th.

L. Robertson – moved to adjourn at 12:33 p.m. No objections noted.

Respectfully Submitted by Lori Robertson.

DRAFT MINUTES
CORPORATION OF SHEPHERDSTOWN, WEST VIRGINIA
WATER & SANITARY BOARDS

March 24, 2022

ATTENDEES: Water Board – J. Auxer (Mayor), J. Bresland, J. Ford, M. Godfrey, S. Kemnitzer (Chair), C. Stroeck
Sanitary Board – J. Auxer (Chair), H. Heyser (via phone)
Town Staff –B. Bennett, C. Coe, K. Shipley, F. Welch
Visitors: Sylke Knuppel

1. **CALL TO ORDER.**

The Water and Sanitary Boards meeting was called to order by J. Auxer at 12:32 p.m.

2. **MINUTES FROM PRIOR MEETING.**

The proposed minutes of the February 23, 2022, regular meeting were reviewed and approved as submitted.

3. **VISITORS.**

S. Knuppel introduced herself. She works as a Civil Engineer, has resided in the Shepherdstown area for 4 years and is a Water customer.

4. **FINANCES.** Financial Statements Discussion

J. Auxer explained that the accounting consultant (Dana Fogle) has estimated that the financial statements will be fully reconciled by the end of May.

S. Kemnitzer asked what her process was. J. Ford stated that there was no special process but that she has reconciled all the outstanding transactions, whereas some of the transactions had been unreconciled in the past.

M. Godfrey stated that there are several layers of detail missing from the latest reports that are useful and that we have been used to seeing.

S. Kemnitzer suggested some format changes that she would find useful.

J. Auxer suggested that M. Godfrey and S. Kemnitzer send their changes to him and that he would pass them along to D. Fogle at their next meeting. J. Ford suggested that, if possible, M. Godfrey and/or S. Kemnitzer should attend the meeting and present their requests in person.

S. Kemnitzer asked that we have an agenda item on next month's agenda to have a detailed discussion of the FY 2022/2023 budget.

M. Godfrey noted that the Water income on the latest reports is significantly above expenses. F. Welch stated that it might not be as it appears since there have been several significant expense items in recent months not shown on the finance report.

S. Kemnitzer asked if the recent reconciliation had uncovered anything worrisome. J. Ford stated that one worrisome thing came up: the consultant informed us that some accounts had not been reconciled since April of 2021.

5. **FLOW AND QUALITY REPORTS.**

5.a **WATER - NO VIOLATIONS.**

C. Coe reported that things were working well in general and that all readings were less than maximum allowable levels.

5.b. **SANITARY REPORTS – NO VIOLATIONS.**

K. Shipley reported that everything was going well but that the current reports were not available because the lab did not deliver them due to Covid issues.

6. **UNFINISHED BUSINESS.**

6.a **SEWER USE ORDINANCE – REVISION AND COMMENTS - SPRING 2022.**

H. Heyser reported that no progress has been made on this effort.

6.b **WATER PLANT IMPROVEMENT PROJECT - JEFF EKSTROM TO REPORT.**

C. Coe reported for J. Ekstrom that the project is on schedule. Currently the plant is intermittently running at half capacity so that work can proceed on the idled portion of the plant. To date they have had no difficulty meeting their required output.

C. Coe reported that the aging plant fence (40+ years) is causing problems. Project has \$13K allocated for repairing sections of the fence that the contractors have had to disassemble but the condition of the fence has made it impossible to repair. C. Coe suggested that we should remove the requirement for the contractor to repair the fence (also remove the \$13K from the contract) and plan to rebuild the entire fence ourselves at an estimated cost of \$31K. J. Bresland and S. Kemnitzer stated that they agreed with that decision and there was no disagreement.

M. Godfrey stated that he recently toured the plant and was impressed with effort and results of the project.

6.c **UPDATE ON WATER DISTRIBUTION PROJECT - JEFF EKSTROM TO REPORT.**

J. Auxer reported in J. Ekstrom's absence. He stated that the \$2Million Congressional grant has been approved. It requires a 25% match from Water, which is currently available from capacity fees.

S. Knuppel asked if this project was considered maintenance or upgrade. F. Welch responded that it will be mainly upgrade - specifically upgrading the capacity delivered to Mecklenburg Heights in order to provide capacity required for fire hydrants.

S. Kemnitzer asked if there would be any special accounting requirements. J. Auxer stated that we are still waiting to get information as to how to administer the grant.

7. **NEW BUSINESS.**

7.a **SHEPHERD VIEW APTS - APPROVAL OF STEP II - HOY SHINGLETON WORKING ON ALTERNATE MAINLINE EXTENSION AGREEMENT - TO BE SENT TO PSC.**

F. Welch stated that the Alternate Mainline Extension Agreement is the only outstanding issue, that H. Shingleton had submitted it to the PSC and expects to hear from them in about 1 month.

7.b **SHEETZ STORE - APPROVAL OF STEP II - HOY SHINGLETON WORKING ON ALTERNATE MAINLINE EXTENSION AGREEMENT - TO BE SENT TO PSC.**

K. Shipley explained that all water lines have been completed and that 52 of the 62 feet of drilling under Route 45 required to connect the sewer line to the existing system have been completed.

F. Welch stated that H. Shingleton is preparing to send the Alternate Mainline Extension Agreement to the PSC.

8. **MAYOR'S REPORT.**

C. Coe explained that he and M. Godfrey were working together to audit the Lead and Copper Rule project being executed by 120Water. They have a meeting scheduled with the contractor next week to define responsibilities.

S. Kemnitzer stated that there was a need to inform customers of this project. C. Coe stated that there was a plan to send informative postcards to the customer base.

M. Godfrey explained that to execute this project we need a GIS tool in order to accurately map the existing system. C. Coe stated that we had solicited bids and, to date, have received only 1 response.

9. **NEXT MEETING DATE.**

Thursday, April 28, 2022, at 12:30PM at the Community Club.

10. **SUMMARIZE ACTION ITEMS FROM THIS MEETING.**

As per S. Kemnitzer's request we should have an agenda item on next month's agenda to have a detailed discussion of the budget.

11. **DRAFT AGENDA FOR NEXT MEETING.**

12. **ADJOURNMENT.** J. Auxer adjourned the meeting at 1:33 p.m.

Respectfully Submitted: J. Ford



BOARDS AND COMMISSIONS APPLICATION

*Please write at least a paragraph for the sections that ask for a description
(attach additional sheets if necessary).*

You are also welcome to submit a résumé.

Name: ☐ Mr. ☒ Ms. Sylke Knuppel Address: 122 Juniper Drive, Shepherdstown
Phone numbers – Home: N/A Work: 240-296-1574 Cell: 240-401-7360
Email address: sylke16@aol.com Employer: Christopher Consultants, Ltd
Occupation: Vice President, Maryland Operations

Which board/commission would you like to serve on? Water Board

Please describe your background and education.

I have over 27 years of experience in entitlement, engineering design, and project planning in the Washington DC metro area. I have both a Bachelor's and Master's degree in Civil Engineering from Johns Hopkins University and I am a licensed engineer in the State of Maryland.

I recently joined christopher consultants as Vice President of the Maryland Division. Christopher is a surveying, land planning, and engineering firm with offices in Maryland and Virginia. My role is managing and growing the Maryland division. Throughout my career I have managed large mixed-use projects and design consultant teams on behalf of property owners and developers, having worked on both the development and consultant side of the business.

Please describe your experience and any special training you may have that apply to this board/commission.

As a life-long professional that has worked in the design, entitlement and construction of new communities I have extensive experience in land development and infrastructure design. I have worked across multiple jurisdictions and have experience with engineering design regulations and policies from those various jurisdictions. I have experience managing large, complex projects, solving complex development problems, and have worked with local, state, and federal level authorizing agencies, as well as participated in community public meetings.

Hopefully, I could add a useful perspective/ voice to the Board.

Please describe your motivation for serving on this board/commission.

My motivation in serving on the Board is to provide an educated perspective to activities and issues that the Shepherdstown community encounters with the objective of providing service to the residents of the community. I truly enjoy what I do, and would like the opportunity to give back to my community.

Please describe what you know about this board/commission.

From visiting the website and observing the March meeting as a resident, the board's main mission is to ensure a safe and abundant water supply to the community in the most cost-effective manner. The Board helps provide guidance and direction for Staff as it relates to budget and priority decisions for the town. The Board also helps ensure that the town's water supply is in compliance with regulation changes and that funds are sought when significant improvements are required.

How did you hear about this board/commission?

Referral from Sue Kemnitzer and general awareness of the local government organization as a resident.

Please provide two personal or professional references (include name and phone number).

Sue Kemnitzer, Board member, 571-331-4832
Griffin Benton, Maryland Building Industry Association, 443-370-9592
Jeff Smith, christopher consultants, 703-927-4164
Michael Goodman, VIKa, 301-233-8234

Signature: Sylke Knuppel, PE

Digitally signed by Sylke Knuppel, PE
DN: C=US, E=sylkeknuppel@ced-sag.com,
CN=Sylke Knuppel, PE
Date: 2022.04.14 09:50:48-0400

Date submitted: 4/14/2022

Please type in your answers and submit the completed form by hand, mail, fax or email to:

*Town Clerk's Office
104 North King Street
P.O. Box 248
Shepherdstown, West Virginia 25443-0248
304-876-1473 (fax)
clerk@shepherdstown.us*

For additional information, or to request a hard copy of the application, please call 304-876-2398.

Historic Shepherdstown Commission & Museum

Entler Hotel, Room 200 129 E. German Street – PO Box 1786, Shepherdstown, WV 25443
304-876-0910 hsc1786@gmail.com www.historicshepherdstown.com

April 22, 2022

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PO Box 1567

Shepherdstown, WV 25443

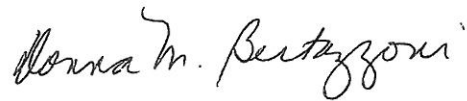
Dear Betty,

Historic Shepherdstown Commission, in conjunction with the Town of Shepherdstown, is very pleased to announce your recognition as the recipient of our 2022 James C. Price Award for Preservation of Historic Legacies for the work you have done over many years in Shepherdstown. You have been a wonderful and invaluable resource to so many people seeking to understand their families' histories in this area. Your work as Historian Laureate of Shepherdstown, and in particular your involvement in the restoration of the Yellow House on High Street, are examples of the work you have done to help preserve the historic character of Shepherdstown.

We request your attendance at our Speaker Series presentation at the Shepherd University Byrd Center Auditorium on Wednesday, May 11, 2022, at 7 p.m. We will present your award at the start of the event. The evening's speakers will be Steve and Harriet Pearson, whose presentation will be "Shepherdstown Opera House: A Place of Many Dates."

Again, congratulations! We look forward to seeing you on May 11.

Sincerely,



Donna M. Bertazzoni, President
Historic Shepherdstown Commission
Board of Directors

cc: Mayor Jim Auxer, Corporation of Shepherdstown
Andy Beall, Zoning Officer, Corporation of Shepherdstown

To Save The Past - To Serve The Future

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Brenda Thorne

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Christopher and Ebonè Helmick
PO Box 844
Shepherdstown, WV 25443

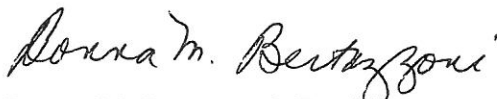
Dear Christopher & Ebonè,

Historic Shepherdstown Commission, in conjunction with the Town of Shepherdstown, is very pleased to announce your recognition as the recipients of our 2022 Preservation of Historic Properties Award for the work you have completed on your home at 314 West German Street. We understand this was Ebonè's family home; it is wonderful to see an excellent restoration of this important residence. Your efforts to preserve an older structure in a highly visible section of town is most appreciated, and it is an example of the type of restoration that is critical to maintaining the historic character of Shepherdstown.

We request your attendance at our Speaker Series presentation at the Shepherd University Byrd Center Auditorium at Wednesday, May 11, 2022, at 7 p.m. We will present your award at the start of the event. The evening's speakers will be Steve and Harriet Pearson, whose presentation will be "Shepherdstown Opera House: A Place of Many Dates."

Again, congratulations! We look forward to seeing both of you on May 11.

Sincerely,



Donna M. Bertazzoni, President
Historic Shepherdstown Commission
Board of Directors

cc: Mayor Jim Auxer, Corporation of Shepherdstown
Andy Beall, Zoning Officer, Corporation of Shepherdstown

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Dear Friends,

You are cordially invited to the May 15, 2022 Opening Day celebration for the new Black History exhibit at the Historic Shepherdstown Museum: *Educational Opportunities for Black Jefferson County Students, Before and After Brown v. Board of Education*. As part of our opening celebration, which will begin at 2 p.m., we will be honoring individuals and their families who participated in the Shepherd University Oral History project that served as the basis for this exhibit.

In 1954, the U.S. Supreme Court declared that separate but equal educational opportunities were inherently unequal, thereby banning segregation in public schools in the United States. However, it took until the mid-1960s for Jefferson County to fully integrate its schools. Much of the local information in the exhibit was provided by Charles Town and Shepherdstown area residents who were interviewed by students from Shepherd University. The exhibit features panels examining their educational opportunities as well as quotes and photos from some of the people who were interviewed. We are grateful for the contributions of the individuals who participated, both to the exhibit and to Jefferson County history.

Following the formal opening of the exhibit, a reception will be held in the Reception Room at the Historic Entler Hotel until 4 p.m. The Museum is located in the Entler Hotel complex, 129 E. German Street, Shepherdstown. Parking is free in Shepherdstown on Sundays.

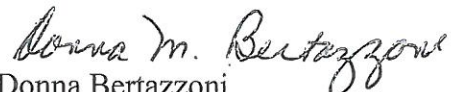
For further information and to RSVP, please call Historic Shepherdstown Commission at 304-876-0910 on Tuesday, Wednesday or Friday between 10 a.m. and 4 p.m., or email hsc1786@gmail.com by Friday, May 13.

We hope you can attend, and we look forward to seeing you.

Sincerely,



Eleanor Finn
Exhibit Coordinator



Donna Bertazzoni
President, Historic Shepherdstown Board of Directors

To Save The Past - To Serve The Future