

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 jimauzer@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, April 9, 2024

6:30 p.m.

TOWN HALL

104 NORTH KING STREET

MASK WEARING IS OPTIONAL

1. Call to order
2. Approval of Town Council Meeting Minutes of March 5 and 12 and 20, 2024
3. **Public Comment Period**
 - a. Persons who have registered to address Town Council.
4. **Public Hearings**
 - a. Second Reading To An Ordinance To Enact Chapter 8, Title 8 Of The Code Of Shepherdstown As The Special Events Ordinance – Discussion/Action
 - b. Second Reading To An Ordinance Re-Enacting Section 12b-202 Of Chapter, Title 12b Of The Code Of Shepherdstown, West Virginia, To Revise The Penalties And Blood Alcohol Concentration Limit - Discussion/Action
 - c. First Reading An Ordinance To Enact Section 9-1602 Of Chapter 16, Title 9 Of The Code Of Shepherdstown Accepting The Donation Of Real Property From The Estate Of Garland Jay Hurley, Deceased – Discussion/Action

5. Visitors

- a. James Gatz and Edwina Benites – Jefferson County Development Authority
- Economic Analysis Presentation
- b. Mary Hendrix, Shepherd University President, Town/Gown Relationship
- c. Diana Suttentfield – Recognizing Bones Wright Street was formerly Rocky Street

6. Unfinished Business

- a. Market House Update
- b. Website Update

7. Old Business

8. New Business

- a. Event Requests- Discussion/Action
 - * July 4 Parade – Rotary Club of Shepherdstown

9. Reports of Committees

A. Finance Committee

- 1. No meeting in March 2024
- 2. Recommendations: NONE
- 3. Review of General Fund Financials - Discussion/Action

B. Parking Committee

- 1. No meeting in March 2024
- 2. Recommendations: NONE

C. Police Committee

- 1. No meeting in March 2024
- 2. Recommendations: NONE

D. Public Works Committee

- 1. Meeting minutes of February 2024
- 2. Recommendations: NONE

E. Parks and Recreation Committee

- 1. Meeting minutes of February 2024
- 2. Recommendations:
 - a. New member appointment – Adam Thomas

F. Grants Committee

1. No meeting in March 2024
2. Recommendations: NONE

G. Age Friendly Committee

1. Meeting minutes of March 2024
2. Recommendations: NONE

H. Personnel Committee

1. Meeting minutes of February 2024
2. Recommendations: NONE

I. Recycling Committee

1. No meeting in March 2024
2. Recommendations: NONE

10. Report of Commissions and Boards

A. Tree Commission

1. Meeting minutes of March 2024
2. Recommendations:
 - a. Appointment of new member – Charlotte Baker-Shenk

B. Water and Sanitary Board

1. Meeting minutes of March 2024
2. Recommendations:
 - a. Reappointment of member – Water Board – Jim Ford

C. Historic Landmarks Commission

1. Meeting minutes of March 2024 - not available
2. Recommendations: NONE

D. Planning Commission

1. Meeting minutes of March 2024 – not available
2. Recommendations:
 - a. New member appointment – Madge Morningstar

E. Board of Appeals

1. None

11. **Mayor's Report**

Special Town Council Draft Meeting Minutes

Tuesday, March 5, 2024

5:00 p.m.

Town Hall - 104 N. King Street

Present: Mayor Jim Auxer, Lori Robertson (Recorder), Leah Rampy, Chris Stroech, Marty Amerikaner, and Jenny Haynes.

Absent: Cheryl Roberts

Staff: Town Clerk Amy Boyd, Town Administrator Stephanie Grove, and Chief of Police Mike King

Visitors: Diane Niedzialkowski, Chazz Printz, Deb Tucker, Phil and Charlotte Baker Shenk, Linda Spatig, Gail and Dave McMillian, and Steve Pearson.

Agenda:

1. Call meeting to order

Call the meeting to order by Mayor Auxer at 5:01 p.m

2. Market House Renovation Contract - Discussion/Action

Chazz has reviewed the contract.

L. Robertson - move to approve to have Mayor Auxer sign the contract and move forward with the renovations. Second by J. Haynes. No objections noted.

3. Proposal of “An Ordinance To Enact Chapter 8, Title 8 Of The Code Of Shepherdstown As The Special Events Ordinance” - Discussion/Action

M. Amerikaner - in regards to Spontaneous Events - political rallies, etc., the 48 hours advance notice, can they still do it without the 48 hour notice? Sometimes rallies can pop up quickly. How much judgement is given to the police department?

Chazz - the purpose behind this is to give the Shepherdstown Police Department (SPD), residents, and businesses an awareness of what is going on in town. The SPD needs some advance notice in case they need to have any extra staff - this notice gives protection to the town. As long as the event is peaceful, there are always exceptions.

L. Robertson - we have seen over the years spontaneous events with only a few hours' notice like vigils.

Chazz - that's ok, just let the SPD know.

L. Rampy - questioned the Spontaneous Public Event 8-801 s regarding the 5-days notice. Chazz mentioned again that the effort has to be made to let the SPD know allowing that there will be exceptions.

Chief King - there was a rewording of the fee schedule to allow a re-evaluation each year for costs that are subject to change.

M. Amerikaner - move to approve to the the Special Events Ordinance to Council for the First Reading next week. Second by J. Haynes. No objections noted.

4. Jay Hurley Last Will and Devise to the Town - executive session to discuss and to confer with legal counsel - Discussion/Action

D. Niedzialkowski - spoke to use - would like to see it used as a park for adults or a meditative setting. Maybe remember Jay with some kind of sculpture.

P. Baker-Shank - to be creative with the space - move cautiously. He has heard many ideas and concerns regarding the use. He urges creative collaboration with Genevieve to reserve low-income housing with a park setting.

Chazz - feels like the discussion can happen without going into executive session.

Mayor - there are some options - we can move forward as it's presented and entertain a motion to accept it at the next council meeting on Tuesday.

Chazz - if council moves forward, there will be time to have for the two required readings before the deadline. The question is do you want to use the land as a park after 2 years? Remember, the current residents stay there for 2 years if you accept.

D. Tucker - has heard that we should reject it, buy it, and turn it into a parking lot.

M. Amerikaner - if we accept, do we accept it as a park?

Chazz - yes, as the Will stipulates. The only way to not do it as a park is if the 4 primary beneficiaries decided to make those changes. We would at least have to proceed with a first reading. The town would become landlords for 2 years if we accept.

M. Amerikaner - Genevieve has an idea that we leave one trailer on the land.

L. Rampy - I'm hearing here that we need to get the process started.

Mayor - Genevieve is starting the survey process and has a google map.

C. Stroeck - if all 4 primary beneficiaries agree, can we extend the time for us to accept to get more public input? He has concerns with the displacement of those living there. Can we extend the 2 years to 3 years?

Chazz - yes, potentially. We have to accept the terms of the Will and then negotiate around it.

C. Stroeck - or we can get a quick answer to extend to 3 years.

Chazz - we want to make sure the four primary beneficiaries are in agreement with any extensions. An extension has to have a good reason to get good input on how to use the land and the costs involved.

P. Baker-Shenk - we need to have a conversation with Frank (Hill) to have a clear understanding of extending the housing issue. A fallback could be to reject it, then offer to buy it without the strings attached to it.

D. Tucker - hope it's advertised with an open meeting for input for the public to comment. Maybe put a home on non-conveyed land to meet Jay's wishes.

Mayor - the plan is to put this on Tuesday's agenda where we will vote to move forward with the first reading.

C. Stroeck - move the Hurley Devises be placed on Tuesday's (March 12, 2024) council meeting agenda for discussion/action on accepting the Devises and authorize the preparation of an ordinance. Second by L. Robertson. No objections

5. Adjournment

M. Amerikaner – move to adjourn at 5:54 p.m. Second by L. Rumpy. No objections noted.

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

Town Council Meeting Draft Minutes

Tuesday, March 12, 2024

Town Hall

104 North King 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), Jenny Haynes, Leah Rampy, Chris Stroeck, Cheryl Roberts, and Marty Amerikaner.

Absent: None

Staff: Town Administrator Stephanie Grove, Town Clerk Amy Boyd, and Chief of Police Mike King.

Visitors: Christy Hagerty, Phil and Charlotte Baker-Shenk, Marcy Bartlett, Linus Bicker, Nancy Stewart, Wendy and Jeff Maddox, Kay Schultz, Jeff Bannon, Genevieve O'Loughlin, and Mark Kohut.

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

Call to order by Mayor Auxer at 6:30 p.m.

Approval of the Town Council Meeting Draft Minutes of February 13, and March 5, 2024.

C. Stroeck - move to approve Town Council Draft Minutes of February 13, 2024. Second by J. Haynes. No objections noted.

**** Minutes of March 5, 2024 not available.****

Agenda Item 3 – Public Comment Period:

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

Agenda Item 4 – Public Hearings:

- a. First Reading To An Ordinance To Enact Chapter 8, Title 8 Of The Code Of Shepherdstown As The Special Events Ordinance.

L. Robertson - move to approve the First Reading To An Ordinance To Enact Chapter 8, Title 8 Of The Code Of Shepherdstown As The Special Events Ordinance. Second by C. Roberts. No objections noted.

b. First Reading To An Ordinance Re-Enacting Section 12b-202 Of Chapter 2, Title 12b Of The Code Of Shepherdstown, West Virginia, To Revise The Penalties And Blood Alcohol Concentration Limit.

Chief King - submitted ordinance to Chazz (town attorney) for driving suspended. Chase made some adjustments and made revisions. The mandatory jail time is now gone.

C. Roberts - move to approve the First Reading To An Ordinance Re-Enacting Section 12b-202 Of Chapter 2, Title 12b Of The Code Of Shepherdstown, West Virginia, To Revise The Penalties And Blood Alcohol Concentration Limit. Second by L. Rampy. No objections noted.

Agenda Item 5 - Visitors:

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

Agenda Item 6 – Unfinished Business:

a. Market House Update -

Mayor - contracts have been signed and we are waiting on a start date.

b. Website Update -

A. Boyd - should be completed by next council meeting.

c. Jay Hurley Last Will and Devise to the Town - Discussion/Action

G. O'Loughlin - would like to see us follow what Jay's intentions are. This was important to Jay to do this for the town.

J. Haynes - move to accept and move forward to the April Town Council agenda for the first reading. Second by C. Roberts. No objections noted.

Agenda Item 7 – Old Business:

_____a. None

Agenda Item 8 – New Business:

_____a. Event Requests -

* Station of Shepherdstown - Spring Parade - March 30, 2024

J. Haynes - it is a 10 a.m. start and open to non-profits. Prizes will be given and need 3 judges. The Easter Bunny will be there. The Easter egg hunt is at 10:30 with a Peep Show at the Train Station 11 a.m. From 8-11 at the Blue Moon will have another Easter Bunny.

L. Robertson - move to approve the Spring Parade - March 30, 2024. Second by L. Rampy. No objections noted.

* O’Hurley’s General Store - Memorial for Jay Hurley - April 6, 2024

G. O’Loughlin - would like to close part of S. Mill for parking - should be able to park along the road. Memorial starts at noon.

L. Robertson - move to approve the O’Hurley General Store - Memorial for Jay Hurley - April 6, 2024 with parking along S. Mill St. Second by L. Rampy. No objections noted.

* Shepherdstown Music & Dance/Morris Dancers - May 5, 2024

W. Maddox - start time at noon on McMurrin Lawn - no parade.
Will need 3 parking spaces along N. King St.

L. Robertson - move to approve the Shepherdstown Music & Dance/Morris Dancers - May 5, 2024. Second by L. Rampy. No objections noted.

b. Shepherdstown Public Library - Board of Trustees Member.

The Library Board recommends the Board of Trustees and the Town Council approves them. There are three members whose terms are expiring and the recommendation for approval are Jeff Bannon, Nancy Stewart, and Ruth McQuade. The term is for 3-years.

C. Roberts - Move to approve the appointment of J. Bannon, N. Stewart, and R. McQuade to the Shepherdstown Library Board of Trustees. Second by M. Amerikaner. No objections noted.

c. Community Club - "Raising the Roof" - Donation request - Discussion/Action

Mayor - a new roof is need for the Community Club. A grant of \$50K has been procured and need \$50K matching. Last Saturday they raised \$9K. He would like to donate \$1K to their fund.

Discussion -

C. Stroeck - how do we differentiate between the monies we give too?

C. Roberts - this is a downtown building, not outside of town.

Mayor - they maintain the park for the common good, and each situation is different.

J. Haynes - this is for the building that is used for town events and non-profits.

L. Rampy - we should create a criteria as to what determines a good cause.

S. Grove - some governments set aside monies for grants and councils decide what to fund.

C. Roberts - move to approve a donation of \$1000.00 to the Community Club. Second by L. Robertson. No objection noted.

d. Jefferson County Parks and Recreation - 4th of July funding request - Discussion/Action

S. Grove - they are asking for \$2K. We have an ordinance to not have fireworks within the corporation.

C. Stroeck - again, we need some kind of criteria to reference.

J. Haynes - move approve the \$2,000.00 funding request for the 4th of July fireworks. Second by C. Roberts. L. Rampy opposed as fireworks are harmful to veterans and birds. Motion passed with a majority.

Agenda Item 9 – Reports of Committees:

A. Finance Committee:

1. No Meeting February 2024
2. Recommendations: None
3. Review and approval of General Fund Financials -

S. Grove - the general funds are in good order through January 31, 2024, and she gave a rundown of them.

**L. Rampy - move to approve the General Fund Financials.
Second by J. Haynes. No objections noted.**

B. Parking Committee:

1. No meeting February 2024
2. Recommendations: None

C. Police Committee:

1. No meeting February 2024
2. Recommendations: None

D. Parks and Recreation Committee:

1. Meeting Minutes of February 2024 - not available 2024
2. Recommendations: None

E. Public Works Committee:

1. Meeting minutes of January 2024
2. Recommendations: None

F. Path Advisory Committee

1. No meeting February 2024
2. Recommendations: None

G. Grants Committee

1. No meeting February 2024
2. Recommendations: None

H. Age Friendly Committee

1. No meeting in February 2024
2. Recommendations: None

I. Personnel Committee

1. Meeting minutes of February 2024 - not available
2. Recommendations: None

J. Recycling Committee

1. No meeting in February 2024
Recommendations: None

Agenda item 10 – Report of Commissions, Authority and Boards:

A. Historic Landmarks Commission:

1. Meeting minutes of February 2024 - not available
2. Recommendations: None

B. Planning Commission:

1. Meeting minutes of February 2024 - not available

2. Recommendations: None

C. Tree Commission

1. No meeting February 2024
2. Recommendations: None

D. Water and Sanitary Board:

1. Meeting minutes of January 2024
2. Recommendations:
 - a. Reappointment of members - Water Board - Mike Godfrey, Sue Kimnitzer / Sanitary Board - Harvey Heyser

M. Amerikaner - move to approve Mike Godfrey and Sue Kimnitzer to the Water Board. Second by L. Rampy. No objections noted.

L. Rampy - move to approve Harvey Heyser to the Sanitary Board. Second by M. Amerikaner. No objections noted.

E. Board of Appeals

1. None

Agenda Item 11 - Mayor's Report:

* L. Robertson - The Bike Path - the Congressional Directive Spending has been approved - \$543,000 with the Mayor helping

tremendously. We are now waiting for the match that has been promised by the Governor's office - \$138,000.

- * The Farmers Market opens 3/24 at 9 a.m.
- * Wv Living Magazine - Shepherdstown received 2nd place in the state.
- * The house on Rt. 45 - 332 W. German St. has been demolished and the lot is now covered with straw.
- * There have been houses built on the East and West end.
- * The Comprehensive Plan meeting is coming up soon and will be open to the public.
- * He would like to revise the ordinance to have the council meetings start at 6 p.m.
- * L. Robertson - wished a belated birthday to Mayor Auxer.
- * Go to the Visitor's Center and the Shepherdstown Historic Museum - docents are needed, they need a commitment of 3-hours minimum - keep on report
- * If you'd like to be included on the email list, you can go to the website to sign up or contact the Town Clerk, Amy Boyd - keep on report

L. Robertson – move to adjourn at 7:25 p.m. Second by L. Rampy. No objections noted.

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

Special Town Council Draft Meeting Minutes

Tuesday, March 20, 2024

12:30 p.m.

Town Hall - 104 N. King Street

Present: Mayor Jim Auxer, Lori Robertson (Recorder), Leah Rampy via Zoom, Chris Stroeck, Marty Amerikaner, and Jenny Haynes.

Absent: Cheryl Roberts

Staff: Town Clerk Amy Boyd and Town Administrator Stephanie Grove.

Visitors: Deb Tucker, Marty Baach, Harriett Pearson, and James Gatz.

Agenda:

1. Call meeting to order

Call the meeting to order by Mayor Auxer at 12:33 p.m

2. 2024-2025 Levy Estimate (Budget) - Discussion/Action

S. Grove - she has changed the format based on WV State Auditor criteria. She explained the budget to account for the overage to make it flat.

D. Tucker - inquired about the various committee and commission budgets. S. Grove explained where the monies come from each one.

S. Grove - the Levy Rate increased slightly this year. Property taxes went up only slightly. Sales tax and Hotel/Motel tax are big revenue generators. Video Lottery is down and she has budgeted for this decrease. We had an increase in revenue from Home/ Motel tax and a slight increase in parking

revenue. The payroll reimbursement - have been using a pay code. She is now putting in lines for the department where the staff actually work for reimbursement. This makes payroll and the time sheets easier and more accurate. A better interest rate has been locked in at the bank for 2 years.

C. Stroeck - the gas and oil severance, where does it come from?

S. Grove - from the State - general funds.

C. Stroeck - the same reasoning for Hotel/Motel tax adjustment? And the Parking increase?

S. Grove answered yes. Parking is based on a trend

C. Stroeck - thank you for redoing all of this manually.

S. Grove - went through other line items based on new lines, increases, and decreases.

* 211 - Town Hall telephones were adjusted down as the bills have been coming in lower.

* 209 - Legal fees have been consistent

* 108 -Overtime is required to be broken out

* 214 - Travel - added a little bit as S. Grove travels

* 222 - Reduction in dues/subscriptions - she moved to a new line

* 353 - Is a new line - computer/software

* 916 - Shepherdstown Library - we give \$1800/month

* COLA means Cost of Living

* Police Dept - there is lots of overtime from events, training, absences, retirements, and holidays. This should level out somewhat per Chief King as we have a new hire.

* Streets - utilities and telephone decreased

* Sanitation - C. Stroeck - the new director's position should be filled soon -will there be changes to the number up or down?

S. Grove - the numbers may be lower as Frank has been here so long.

* Landfill and Recycling - are new lines. We can lower the landfill costs.

C. Stroeck - adjustment can be made across all departments?

S. Grove - yes. Whatever is left goes into the General Fund. July 1st starts the fiscal year. We can do a budget revision if something is needed.

* Water/Sewer - there are a few employees that work just for water, and some that work just for sewer.

* Parks & Rec - 20% of our 1/2 of Hotel/Motel budget is to keep the parks maintained.

* Visitors Bureau - 460 - is a capital expense code with much budgeted for the Market House.

C. Stroeck - inquired if we could move some of the \$50K surplus to cover the amount we give monthly to the Library? S. Grove - will look at that.

* Mayor - if we anticipate big projects, we can apply for grants and our cash can be used for the match.

* Capital requests -

M. Amerikaner - microphones for the meeting room. A. Boyd - looking into it.

Automatic door opener for town hall

L. Rampy - Hurley Park - anticipation of costs?

S. Grove - nothing for 2 years. Allows us to work on the design.

**** Recorder L. Robertson had to leave the meeting at 2:10 p.m. Town Clerk A. Boyd took the remaining minutes.****

_ C. Stroeck moved to approve the draft budget to send to the WV State Auditor's Office. No objections noted.

5. Adjournment

– J. Haynes moved to adjourn at 2:14 p.m. Second by M. Amerikaner. No objections noted.

Draft Minutes respectfully submitted by L. Robertson, Recorder and, A. Boyd, Town Clerk, for the Corporation of Shepherdstown.

AN ORDINANCE TO ENACT
CHAPTER 8, TITLE 8 OF THE CODE OF SHEPHERDSTOWN
AS THE SPECIAL EVENTS ORDINANCE

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Title 8 of the Code of Shepherdstown is hereby amended by adding Chapter 8, entitled the “Special Events Ordinance” to establish the application for a special events permit. Accordingly, Chapter 8, Title 8 of the Code of Shepherdstown shall read as follows:

TITLE 8

Chapter 8 – Special Events Ordinance

Section 8-801 – Definitions:

As used in this Chapter, the following terms have the following meanings:

- (a) “Aggrieved Person” shall mean a person who can demonstrate a specific, personal and legal interest in the final decision of an application for a permit issued under this ordinance, as distinguished from a general interest, such as is the concern of all members of the community, and which interest would be specifically and personally prejudiced by the decision or benefited by its reversal.
- (b) “Applicant” shall mean the authorized agent of the sponsor who completes the application and acts as a primary contact for the special event.
- (c) “Application fee” shall mean the non-refundable fee, as determined by the Shepherdstown Town Council, payable by applicant for the review of a special events application.
- (d) “Annual Event” shall mean an event recurring each year at approximately the same date and time, which has previously complied with the permit requirements.
- (e) “Town Funded Event” shall mean an event for which the Corporation of Shepherdstown engages full financial responsibility.
- (f) “Town Co-Funded Event” shall mean an event for which the Corporation of Shepherdstown provides a portion of financial support as determined by the Shepherdstown Town Council.
- (g) “Town Services” shall mean those services provided by various departments of the Corporation of Shepherdstown, which may include, but are not limited to police protection, placement and removal of barricades and collection of refuse.

- (h) “Closed Route” shall mean a route along or across a public right of way on which nonemergency vehicular traffic is not permitted to proceed for the entire duration of a special event.
- (i) “Event Participants” shall mean a person or persons in attendance at an event, including, but not limited to, spectators, vendors, event staff, Town staff and any others present for the purpose of the event.
- (j) “Farmer’s Market” shall mean an organized group that utilizes a street or parking lot to sell merchandise, food items and various agriculturally related items or products.
- (k) “Parade” shall mean any march, demonstration, procession or motorcade consisting of people, animals or vehicles, or a combination thereof, upon the streets, sidewalks or other public areas within the Town with an intent or likely effect of attracting public attention and interfering with, or having a tendency to interfere with, the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks or other public property
- (l) “Permit” shall mean written permission for assembly, parade, or use of public facilities issued pursuant to this Chapter.
- (m) “Processional Event” shall mean any event that is non-stationary and continues in a processional manner through town, such as a parade, march, race, etc., and requires the closure of multiple streets or multiple blocks on the same street.
- (n) “Public Assembly” shall mean any meeting, march, demonstration, picket line, rally, or gathering of 25 or more persons for a common purpose as a result of prior planning that affects or may reasonably be expected to affect the normal flow or regulation of pedestrian or vehicular traffic upon the streets or other public facility, other than a park or recreational building or facility.
- (o) “Public Facility” shall mean a building, structure, place or other location or area which a person may seek to utilize for purposes other than the normal and usual governmental operations of the Town, but excludes a public park and recreational facility.
- (p) “Rental Fee” shall mean a fee for the use of Town-owned property for an event, which may or may not include provisions for utilities.
- (q) “Rolling Closure Route” shall mean a street, sidewalk, trail, walkway or other right-of-way which is closed to accommodate an event, where, as the event passes, the right-of-way is reopened for general public use.
- (r) “Special Event” shall mean any activity or event, such as a parade, entertainment or sporting event, street closure, farmers market, public demonstration or assembly, amusement, cultural recognition, festival, street fair or any other situation where there is need for the control of traffic and crowds or prevention of crime and which is usually scheduled in advance, allowing for planning or required police services prior to the event.

- (s) “Spontaneous Public Event” shall mean any unplanned or unannounced coming together of people, animals or vehicles in a peaceful parade or public assembly which is not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events occasioned by news or affairs coming into public knowledge within five (5) days of such parade or public assembly.

Section 8-802 – Permit Required:

The Town Council hereby finds as follows:

- 1) It shall be unlawful for any person to conduct or participate in any parade, public assembly or special event unless a written permit has been issued in accordance with the provisions of this ordinance.
- 2) The provisions of this permit shall not apply to the following:
 - a) Spontaneous public events;
 - (i) Written notice shall be provided to the Shepherdstown Police Department for any Spontaneous Public Event at least forty-eight (48) hours prior to said Spontaneous Public Event.
 - b) Recreational activities, including jogging or walking, which do not require closing of public streets or other rights-of-way and that do not interfere with, or have a tendency to interfere with, the normal use of any public property in a place open to the general public;
 - c) Funeral processions;
 - d) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of proper school authorities;
 - e) The United States Army, Navy, Marine Corps, Coast Guard, or any other branch or organization under the direction of the United States Armed Forces; the military forces of West Virginia or the police and fire division of the Corporation of Shepherdstown, Jefferson County, or State of West Virginia, acting in official capacity;

- f) A governmental agency/agencies acting within the scope of its functions;
or
 - g) Town owned property under the regulation and maintenance of Jefferson County Parks and Recreation.
-
- 3) Applicants requesting a Special Event Permit are required to submit a completed Application for Special Event Permit, along with a twenty-five dollar (\$25.00) non-refundable application fee payable to the Corporation of Shepherdstown for review and processing, at least thirty (30) days prior to the date of proposed event. Other fees may be applicable, in accordance with Title 809, and are subject to adjustment.
 - 4) All applications must be received by the Corporation of Shepherdstown, either by mail, electronic mail, fax or delivery in-person, no later than thirty (30) days before the proposed event.
 - 5) The application must be filled out, in its entirety, and shall provide all relevant information, including but not limited to, alternatives for location, route, date, and time.
 - 6) As a condition of the Special Event Application, all applicants are responsible for providing a specific and accurate representation of the proposed event so that the Corporation of Shepherdstown may accurately identify the required level of services, including but not limited to, Police, Emergency Services and Public Works.
 - 7) Preferred Routes may be suggested by the Town for parades and some other processional events, and applicants are asked to review and consider these routes. The Town reserves the right to adjust the routes when conditions or events create a situation in which a preferred or requested route is unavailable.
 - 8) The Town reserves the right to deny any permit application sponsored or affiliated with a person or organization not in good standing with the Town, specifically in regard to outstanding fees, taxes, or other obligations.
 - 9) Events are required to conform to all other applicable Town ordinances and policies, including but not limited to, signage, zoning, noise and nuisance ordinances.

Section 8-803 – Issuance or Denial of Permit:

- (a) All applications will be reviewed by the applicable department heads (Chief of Police, Planning Department, Public Works, Town Administrator, etc.) and forwarded to Town Council or designee for final approval. The Town may set any conditions and fees for service or deposits, in accordance with policy, with the understanding that all conditions and fees must be satisfied within fifteen (15) calendar days prior to the event.

- (b) Upon review of comments, concerns and recommendations of applicable Department Heads, the Town Administrator or designee shall present a final recommendation to the Town Council, and Council may approve the permit if the event is determined to be unlikely to endanger the public health, welfare or safety and applying the following criteria:
 - 1. The time, duration, route and size of the event will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public; and
 - 2. The time, duration, route, size and proposed activities of the event will not be scheduled to overly burden any one neighborhood or street on a consistent basis or cause or tend to cause an unreasonable disturbance to adjacent property owners or tenants including, but not limited to, noise, light and traffic; and
 - 3. The event is not of such a nature that it will require diversion of so great a number of police and fire/EMS personnel to properly police the line of movement in the areas contiguous thereto as to impair the normal protection of the remainder of the Town; and
 - 4. The applicant has, where appropriate, designated monitors sufficient to control the orderly conduct of the event in conformity with such permit; and
 - 5. The conduct of the event will not unduly interfere with the proper fire, ambulance and police protection or service to the remainder of the Town or is likely to unreasonably disrupt other public services and protection normally provided to the Town; and

6. The event will not interfere with another event for which a permit has been granted or cause irreconcilable interference with previously approved or scheduled construction, maintenance or other activities; and
 7. The event proposed will not violate, and will conform, with all applicable Federal, State and local regulations and laws governing the proposed event; and
 8. If alcoholic beverages will be served at the event, the applicant must comply with all applicable provisions of the State Code and local ordinances pertaining to serving and consumption of alcoholic beverages. Additionally:
 - (i) the applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure the safety of persons who may have become impaired or intoxicated at the event; and
 - (ii) the applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure that underage persons are not served or permitted to consume alcoholic beverages at the event; and
 - (iii) no permit shall be issued to any applicant where alcohol is to be served upon any property or in any facility where alcohol is otherwise prohibited by any other statute.
- (c) For special events or public assemblies, such as a Farmer's Market or monthly reservation, held on a regular or recurring basis at the same location, an application for an annual permit covering all such assemblies may be filed with the Town Administrator or designee at least sixty (60) days prior to the first scheduled event. The application will then follow the heretofore described review and approval process.
- (d) If two or more applications are submitted requesting a permit for events to be held at the same time and place, the application first filed shall be first considered, and will be granted if it meets all requirements of this ordinance
- (e) In the event that the any application is denied by Town Council, the Town Administrator or designee will promptly mail to the applicant a notice of action which will contain the reasons for denial and notify the applicant of the right to appeal pursuant to Section 8-806.

- (f) Nothing in this ordinance shall permit the Town Council to deny a permit based upon political, social or religious grounds or reasons or based upon the content of views expressed.

- (g) The Town Administrator, or designee, under the direction of the Town Council, may authorize the conduct of an event on a date, at a time, at a place or over a route, different from that originally proposed. Any applicant desiring to accept an alternate permit shall file a written notice of acceptance with the Town Administrator. Any alternate permit shall conform to all requirements of this ordinance and shall have the same effect as any other permit issued therein.

Section 8-804 – Compliance; Penalties:

Every person or organization to whom a permit is issued under this ordinance shall substantially comply with all permit terms and conditions and with all applicable laws and ordinances. The person heading or leading the event shall carry the permit upon his or her person at all times during the conduct of the event, and shall show the permit when requested to do so. Any violation of this Ordinance will be punishable by a fine of up to \$500.00.

Section 8-805 – Revocation of Permit:

- (a) The Town Administrator or designee, with or without order of Town Council, shall have the authority to revoke any permit issued to this article if any information supplied by the applicant is discovered to be substantially false or intentionally misleading or if any term, condition, restriction or limitation of the permit has been substantially violated and if there is any continued violation of the terms, conditions, restrictions or limitations after the applicant or anyone working in concert with the applicant has been notified, in writing or otherwise, of a violation of the permit by a representative of the Corporation of Shepherdstown or an appropriate law enforcement official.

- (b) The Town Administrator or designee, with or without order of Town Council, shall have the authority to alter or cancel an event at any time due to unforeseen circumstances. If the event is cancelled by the Corporation of Shepherdstown due to unforeseen circumstances, permit application rental fees will be reimbursed and fees for Town services will be prorated and refunded, based on services rendered prior to notification of the cancellation. Any expenses incurred by the applicant relating to the

event will not be the liability of the Corporation of Shepherdstown. The application fee is non-refundable.

- (c) The Town Administrator or designee may authorize the refund of any rental fees or other fees for Town services not utilized in the event that the applicant is unable to hold or conduct the event due to inclement weather or some other cause not within the applicant's control. The request for such refund must be received by the Town Administrator or designee within ten (10) days of the scheduled event date. The application fee is non-refundable.

Section 8-806 – Appeal:

- (a) Any aggrieved person, having been denied a permit under the terms and conditions of this ordinance, or by the revocation of a permit after one has been issued, may present an amended request, which will be reviewed as a new request and must meet all heretofore conditions and deadlines
- (b) The decision of the Town Administrator or designee may be appealed to the Shepherdstown Town Council and the decision of the Shepherdstown Town Council may be appealed to the Circuit Court of Jefferson County, in accordance with the laws of the State of West Virginia.
- (c) In any appeal under this section, the Corporation of Shepherdstown shall have the burden of demonstrating that the denial of the permit was justified under the terms and conditions of this ordinance.

Section 8-807 – Public Conduct During Parades, Demonstrations and Assemblies:

- (a) No person shall unreasonably hamper, obstruct, impede or interfere with any event or with any person, vehicle or animal participating or used in an event for which a permit has been issued in accordance with the provision of this ordinance.
- (b) No driver of a vehicle shall drive between the vehicles, persons or animals comprising a parade, special event, public assembly or funeral procession except when otherwise directed by a police officer. This shall not apply to authorized emergency vehicles.
- (c) The Chief of Police, or his or her designee, shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the public streets or rights-

of-way constituting a part of the route of a parade, demonstration or assembly. The Chief of Police, or his designee, shall post signs to such effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

- (d) Loud speakers and/or amplification devices are prohibited unless specifically approved as part of the Permit Application.

Section 8-808 – Indemnification and Insurance Requirements:

- (a) The applicant shall indemnify and hold harmless the Corporation of Shepherdstown, its officers, agents, employees and volunteers from any and all claims, causes of actions, penalties, losses, expenses (including reasonable attorney's fees) and any other liability for injuries or damages to persons or property resulting from the special event which occurred by the omissions or authorized acts of the applicant
- (b) If the Town incurs any costs as a result of the applicant's failure to comply with any provisions, or if the Town property is destroyed or damaged by reason of a special event, the applicant shall reimburse the Town for its actual costs, including the actual repair or replacement cost of the property. The Town may retain any deposit or portion thereof as full or partial reimbursement for any such damage.
- (c) General liability insurance coverage, in the amount of \$1 million per instance and \$2 million aggregate, may be required before an event and maintained throughout the duration of the event, including set-up and dismantle periods. The Corporation of Shepherdstown is to be named as an additional insured.
- (d) The Town reserves the right to recommend a higher amount of required insurance depending on the proposed activity.
- (e) Requested use of rights-of-way or property owned by entities or persons other than the Corporation of Shepherdstown may require additional approvals, conditions or indemnification and insurance. The Corporation of Shepherdstown shall contact state and county agencies when necessary. Approval of private property owners for use of rights-of-ways and property is the sole responsibility of the applicant.
- (f) No applicant shall be required to comply with the insurance requirement of this section if the activity proposed for the special event is protected by the First Amendment to the United States Constitution and the applicant produces evidence that complying with the insurance provision is impossible or so financially burdensome that it would preclude the special event from occurring.

- (g) All events are subject to the requirement to successfully pass all fire, life safety and building safety inspections when applicable

Section 8-809 – Fees:

- (a) Fees may be assessed on events which require additional Town services as follows:
 - 1. Police Fees—not less than \$35 per hour or partial hour worked, per officer, as set or adjusted by the Town Administrator or Town Clerk.
 - 2. Public Works—not less than \$9 per hour or partial hour worked, per laborer, including time requested or deemed necessary for set up and/or clean up and not less than \$150 per hour for equipment as set or adjusted by the Town Administrator or Town Clerk.
- (b) Additional fees for Town Service may be waived for all Town Funded Events and Town Co Funded Events
- (c) Application Fee—not less than \$25 per application, with each date constituting one application in the event of a recurring event except that a single multi-day event (example—an event taking place on a Friday and the immediately following Saturday) shall be considered one event. The application fee is subject to adjustment by the Town Administrator or Town Clerk.
- (d) The need for Town services is determined by applicant request or staff recommendation and ultimately approved by Town Council

Section 8-810 – Severability:

If any part of provision of this Chapter or the application thereof to any person or circumstances is held invalid, the remainder of the Chapter, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Chapter are severable.

First Reading: March 12, 2024

Second Reading: _____

Adopted: _____

Mayor

Recorder

**AN ORDINANCE RE-ENACTING
SECTION 12B-202 OF CHAPTER 2, TITLE 12B
OF THE CODE OF SHEPHERDSTOWN, WEST VIRGINIA, TO REVISE THE
PENALTIES AND BLOOD ALCOHOL CONCENTRATION LIMIT.**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 2 of Title 12B of the Shepherdstown Code is hereby amended by amending and re-enacting Section 12B-202, entitled “Driving while license suspended or revoked; driving while license revoked for driving under the influence of alcohol, controlled substances or drugs, or while having alcoholic concentration in the blood of eight hundredths of one percent or more, by weight, or for refusing to take secondary chemical test of blood alcohol contents,” to revise the penalties and to conform the blood alcohol concentration with the State statute. Accordingly, there is re-enacted Section 12B-202 of Chapter 2 of Title 12B to read as follows:

Section 12B-202: Driving while license suspended or revoked; driving while license revoked for driving under the influence of alcohol, controlled substances or drugs, or while having alcoholic concentration in the blood of eight hundredths of one percent or more, by weight, or for refusing to take secondary chemical test of blood alcohol contents.

(a) Except as otherwise provided in subsection (b) or (d) of this section, any person who drives a motor vehicle on any public highway of this town at a time when his or her privilege to do so has been lawfully suspended or revoked by the State of West Virginia or any other jurisdiction is, for the first offense, guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars; for the second offense, the person is guilty of a misdemeanor and, upon conviction thereof, shall be fined five hundred dollars; for the third or any subsequent offense, the person shall be charged with a violation of § 17B-4-3(a) of the West Virginia Code, as amended.

(b) Any person who drives a motor vehicle on any public highway of this town at a time when his or her privilege to do so has been lawfully revoked for driving under the influence of alcohol, controlled substances or other drugs, or any combination thereof, or for driving while having an alcoholic concentration in his or her blood of eight hundredths of one percent or more, by weight, or for refusing to take a secondary chemical test of blood alcohol content, shall be charged with a violation of § 17B-4-3(b) of the West Virginia Code, as amended.

(c) Any person who drives a motor vehicle on any public street or highway of this town at a time when his or her privilege to do so has been lawfully suspended for driving while under the age of twenty-one years with an alcohol concentration in his or her blood of two hundredths of one percent or more, by weight, but less than eight hundredths of one percent, by weight, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty dollars nor more than five hundred dollars.

Authority: W. Va. Code § 17b-4-3

First Reading: March 12, 2024

Second Reading: _____

Adopted: _____

AN ORDINANCE TO ENACT SECTION 9-1602 OF
CHAPTER 16, TITLE 9 OF THE CODE OF SHEPHERDSTOWN
ACCEPTING THE DONATION OF REAL PROPERTY FROM
THE ESTATE OF GARLAND JAY HURLEY, DECEASED

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Title 9 of the Code of Shepherdstown is hereby amended by adding Section 9-1602, entitled “Hurley Donation,” to allow and accept the donation of real property to the Corporation of Shepherdstown. Accordingly, Section 9-1602 of Chapter 16, of Title 9 of the Code of Shepherdstown shall read as follows:

TITLE 9

Chapter 16 – Donations of Real Property

Section 9-1602 – Hurley Donation:

For the purpose of approving acceptance of a testamentary devise of real property and its express terms and conditions under the Last Will and Testament of Garland Jay Hurley, totaling 2.67 acres of land, more less, situate in the southeastern suburbs of Shepherdstown in Shepherdstown District, Jefferson County, West Virginia, and more particularly described as follows:

TRACT NO. 1:

A certain parcel of real estate fronting on the east side of Rumsey Avenue (sometimes known as Mill Street) about 296 feet and running back a uniform width 263 feet to the line of the Reformed Church Cemetery, bounded on the north and east by property owned by the Reformed Church, and bounded on the west by Rumsey Avenue, and bounded on the south by Tract No. 2, hereinafter described.

TRACT NO. 2:

That certain tract of real estate lying and being immediately south of Tract No. 1, above described, and being the same property which was conveyed to J.R. Show by Alvin D. Show, et al. by deed dated December 8, 1947, of record in the Office of the Clerk of the County Court for Jefferson County, West Virginia, in Deed Book 170, at page 366, to which said deed, and the references therein made reference is hereby expressly made for a more complete description of said property.

WHEREAS, West Virginia Code Section § 8-12-1(5) empowers municipalities to accept gifts and grants;

WHEREAS, Garland Jay Hurley, deceased, owned real property, totaling 2.67 acres, in Shepherdstown Corporation, Jefferson County, West Virginia, (“Property”) as identified as Tax Map 3, Parcels 150 & 151;

WHEREAS, the Property is described in a deed dated December 23, 1991, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 706, at page 294, and is subject to such easements, covenants, and restrictions shown upon the aforesaid plat and in said deed;

WHEREAS, Garland Jay Hurley departed this life on November 25, 2023, a resident of Jefferson County, West Virginia. Pursuant to Article Seven of his Last Will and Testament, recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Will Book 39, at page 159, Garland Jay Hurley devised the aforesaid Property to the Corporation of Shepherdstown, for the intended purpose of maintaining a public park for the benefit of the residents of Shepherdstown (and the surrounding areas);

WHEREAS, Garland Jay Hurley placed the following conditions on his gift:

Garland Jay Hurley conveys the property in “an ‘as is’ condition, to the Corporation of Shepherdstown, a West Virginia municipal corporation, for the intended purpose of maintaining a public park for the benefit of the residents of Shepherdstown (and the surrounding areas), and confer upon it the power and ability to establish all necessary or appropriate ordinances, rules, and regulations appertaining to the same as its governing body (and/or its duly appointed committee(s) or commission(s)) shall deem appropriate, from time to time.”

“Provided, however, as an express condition of this devise, any tenant(s) who may be occupying the aforesaid real estate on the date of my death shall be afforded the opportunity to continue to do so for a period not to exceed two (2) years subsequent to the date of my death, provided that he/she/they shall, during such period of occupation, continue to make timely payments of the rental obligation which was in effect as of the date of my death to the then owner.”

“However, in the event that the governing body of the Town of Shepherdstown shall, for any reason, decide not to accept the aforesaid real estate, or any part thereof . . . to be evidenced and memorialized by an appropriate ordinance being enacted within six (6) months of my date of death, I hereby declare the devise . . . to be void and of no effect.”

“Notwithstanding anything contained in this Article to the contrary, if at any time during a period of thirty (30) years beginning on the effective date of its ordinance accepting the aforesaid real estate and terminating thirty (30) years subsequent thereto, the Corporation of Shepherdstown shall, in any manner, undertake to dispose, transfer, or convey (other than to a agency or other instrumentality charged with the operation of the park) or otherwise cease to use or operate the aforesaid real estate for the purpose set forth in this Article, the Town’s ownership interest in the aforesaid real estate shall automatically, by operation of law, cease.”

“However, should it be determined by the governing body of the Town of Shepherdstown at any time subsequent to the expiration of the aforementioned thirty year (30) period that the best use of the aforesaid real estate, or any part thereof, would be other than as described above, the governing body shall have plenary power to sell, transfer, and convey all or such portion of the aforesaid real estate, at such price and on such terms and conditions as it shall determine, from time to time, and that the proceeds thereof shall first be dedicated and used (as an endowment fund or otherwise) to maintain, care for or otherwise enhance any other park or recreational facility under the control and jurisdiction of the Town of Shepherdstown, and if the income from such fund should be in excess of the reasonable and appropriate needs as described above such excess funds (whether income or principal) may be expended for such other purposes as the governing body of the Town of Shepherdstown shall decide from time to time.”

WHEREAS, it is Garland Jay Hurley’s request, but not requirement, that the Property be named and known as the “M. G. Hurley Memorial Park” so as to honor his father.

WHEREAS, the Property has been valued at \$430,000 as confirmed by a recent appraisal dated November 25, 2023; and

NOW, WHEREFORE, BE IT ENACTED BY THE TOWN COUNCIL AS FOLLOWS:

1. It is hereby found and determined that the gift of the Property is in the best interests of Shepherdstown.
2. The Town Council approves acceptance of the devise of fee simple title to the Property with covenants of special warranty, consisting of 2.67 acres of land, more or less, in Shepherdstown Corporation, Jefferson County, West Virginia, being more particularly described in a deed dated December 23, 1991, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 706, at page 294.
3. The Town Council approves and accepts all of the aforesaid terms and conditions on the use of the Property as set forth in the Last Will and Testament of Garland Jay Hurley.
4. The Mayor is hereby authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits, and such other documents as might be required by tax regulations to acknowledge the donation, and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Ordinance and receiving this gift.

First Reading: _____

Second Reading: _____

Adopted: _____

Mayor

Recorder

From: [Arthur Auxer III](#)
To: [Amy Boyd](#)
Subject: Fw: Rocky Street
Date: Friday, April 5, 2024 9:42:10 AM

----- Forwarded Message -----

From: Arthur Auxer III <jimauxer@yahoo.com>
To: Frank Welch <fwelch@shepherdstown.us>
Sent: Tuesday, April 2, 2024 at 12:38:53 PM EDT
Subject: Fw: Rocky Street

----- Forwarded Message -----

From: sutenfield@aol.com <sutenfield@aol.com>
To: Mayor Jim Auxer <jimauxer@yahoo.com>
Sent: Friday, March 29, 2024 at 02:32:32 PM EDT
Subject: Rocky Street

Jim, I am requesting to petition the town council on April 9th to re-instate the historic name "Rocky Street" and to change the sign by the old Yellow Brick Bank, to say "Potomac River Access", instead of just "stream access". Please tell me the time of the meeting. Thanks, Diana Sutenfield

Corporation of Shepherdstown



Event/Park Request Form

Applications and fees are due at least ninety (90) days prior to the event unless otherwise noted.

Any form of advertising of this event, prior to approval by Town Council, is done at applicant's own risk.

Please read and complete entire application. An incomplete application may result in denial or delay of request. The Corporation of Shepherdstown reserves the right to approve or deny any event request.

Organization:	ROTARY CLUB OF SHEPHERDSTOWN
Contact Name:	PETER SMITH
Mailing Address:	PO BOX 603
City, State, Zip:	SHEPHERDSTOWN, WV 25443
E-mail Address:	PVSMITH@FRONTIERNET.LET
Daytime Phone:	304-876-1139
Evening Phone:	304-876-1139
Cell Phone:	304-579-9114

1.) Name and Complete Description of Event including location if other than one of our Parks: <i>attach on separate sheet if necessary</i> 2.) Has this event been held in Shepherdstown in the past?	JULY 4 PARADE
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<i>If yes, on a separate sheet, please provide event dates (last three years) and describe any scheduling conflicts with other events that occurred in prior years or potential conflicts for the current requested event</i>
3.) Is this a "one-time" event?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.) Date and Time of Event: 4a.) Set Up Time 4b.) Tear Down Time	From: To: 11 am/pm 12 am/pm
07/04/2024 9:30am 12 noon	

5.) Park Requested, if applicable:	<input type="checkbox"/> Bane-Harris \$100	<input type="checkbox"/> Cullison \$100	<input type="checkbox"/> Rumsey \$500	<input type="checkbox"/> Viola-Devonshire \$100
6.) Are street closures requested?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide, on the attached map, streets that need to be closed. If having a parade, provide parade route. Alleys must be kept open. (No Exceptions)</i>			
7.) Is event open to the public?	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	
8.) What are the parking arrangements? <i>Please explain.</i>	PARADE WILL FORM UP ON CHURCH ST., BETWEEN HIGH + MINDER.			
9.) Will entertainment be involved? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, give details w/# groups, type of music, time of performance(s) etc. See Noise Ordinance</i>	<i>Any entertainment must be approved by the Town Council.</i>			
	<input type="checkbox"/> Live Band	<input type="checkbox"/> DJ	<input type="checkbox"/> Radio/CD Player	<input type="checkbox"/> Other: Explain
10.) Will other equipment be used? (i.e. generator, tents, inflatables, etc.) If yes, give details.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SOUND SYSTEM FOR PARADE ANNOUNCER			
11.) Are you a non-profit organization? <i>If yes, provide certification of non-profit status.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
12.) Will vendors be at the event? <i>If yes, give details including complete list of vendors and contact information.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
13.) Will event participants be charged a fee? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
14.) Will admission be charged for the event? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Cost _____			
15.) Number of people expected to attend:	<input type="checkbox"/> less than 50	<input type="checkbox"/> 51-100	<input type="checkbox"/> 101-150	<input checked="" type="checkbox"/> more than 150
16.) Name & contact info. for two (2) people with authority that will be present at event:	Name: PETER SMITH		Phone: 304-579-9114	
	Name: HOLLY FRYE		Phone: 304-671-4086	
17.) Check any Town assistance needed:	<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Public Works	
	<input type="checkbox"/> Recycling	<input type="checkbox"/> Other		
18.) Will alcoholic beverages be served?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<i>If yes, the Shepherdstown Open Container Ordinance must be suspended by action of the Town Council for this day's event.</i>	<i>If yes, you must contact the WV Alcohol Beverage Control Commission to obtain a "one day" license.</i>			

19.) How will this event benefit Shepherdstown?	PROVIDE WHOLESOME FAMILY ENTERTAINMENT & BOOST TOURISM
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Requirements:

- All event requests must be applied for at least 90 days prior to the event date.
- For park events, notification of the event must be provided, in writing, to all neighbors within two blocks of the event location (a copy of this notification must be provided to the Town)
- If this is a parade, walk or run, give details including map of route to be taken.
- General liability insurance coverage of no less than one million dollars (\$1,000,000) reflecting the Corporation of Shepherdstown as additionally insured.
- If assistance from the Police or Public Works Department is needed for the event, you will be responsible for contacting the respective departments.
- Payment of costs incurred during the event must be paid within one week following the event (i.e. Assistance from the Police Department or Public Works Department).
- All required information must be submitted at least two weeks prior to the Town Council meeting.


Corporation of Shepherdstown

It is hereby agreed and understood that GERAAR ST. is reserved, as specified, for the use of the above named organization and/or individual. The Facility reserved is subject to inspection by any authorized representative of the Corporation of Shepherdstown in order to assure proper use of Town property. This permit must be in the possession of the organization and/or individual to whom it is issued and shown upon request to any authorized Town Official.

The organization and/or individual assumes personal liability and responsibility for any and all costs of cleanup of the premises, loss, breakage, damage to or removal of Town property and further assumes liability and responsibility for the conduct and good order of the group and its invitees and guests.

The organization and/or individual shall be responsible for any and all loss, damage or injury to any and all personal property that it or its agents, representatives, invitees or guests, may bring to, store at, or leave at the facility, and shall indemnify and hold harmless the Corporation of Shepherdstown and any department, agent, official and/or employee thereof for any personal injury incurred during, or as a result of such use. The organization and/or individual further agrees to abide by all procedures, policies, and rules governing use of the above-mentioned facility.

I have read and agree to these responsibilities.

Signature of Organization and/or Individual: 
 Date: 3/11/2024

Any individual under the age of 21 must have the signature of a parent or guardian who shall assume any and all responsibility and liability as set forth above and the person signing must be in attendance at the rental event.

Parent/Guardian: _____ Date: _____
 Printed Name: _____ Phone: _____

PLEASE NOTE APPROVAL IS REQUIRED FOR USE OF THE PARK FACILITIES. Once approved, this permit will be issued.

FOR OFFICE USE ONLY

Rental Fee: \$ _____ <input type="checkbox"/> Cash	<input type="checkbox"/> Denied
Date Paid: _____ <input type="checkbox"/> Check	
<input type="checkbox"/> Approved	Comments:
Approved by: _____	_____
Title: _____ Date: _____	_____

Checklist

(To be completed by the Corporation of Shepherdstown)

- Complies with 90 day notice
- Insurance certificate provided
- Police or Public Works Department fees paid (if applicable)
- Park fee paid (if applicable)
- Open Container Ordinance Suspended (if applicable)
- Amplified Sound Use (if applicable)
- Vendor's list (if applicable)
- Date approved by Town Council _____

Addendum to Rotary Club of Shepherdstown 2024 July 4 Parade event request

2. EVENT HISTORY. This July 4 parade has been organized and sponsored by the Rotary Club of Shepherdstown annually since 2007, except in 2020 and 2021 when it was cancelled because of Covid. As far as we know, there have never been any scheduling conflicts with other events in the past, and none are foreseen this year.

The parade has always been followed by a Rotary-sponsored community picnic. In 2007 and 2008, this picnic was held at Morgan's Grove Park. From 2009 through 2012, the picnic was held at the town's Rumsey Memorial Park.

In 2013, we shifted the picnic location back to Morgan's Grove Park and it has remained there ever since. Public reaction to the Morgan's Grove Park location has been very positive because of the parking and superior facilities it offers. Thus, the picnic now does not involve any town facilities.

The Rotary Club pays all costs associated with the parade and picnic, which total about \$5,000 annually.

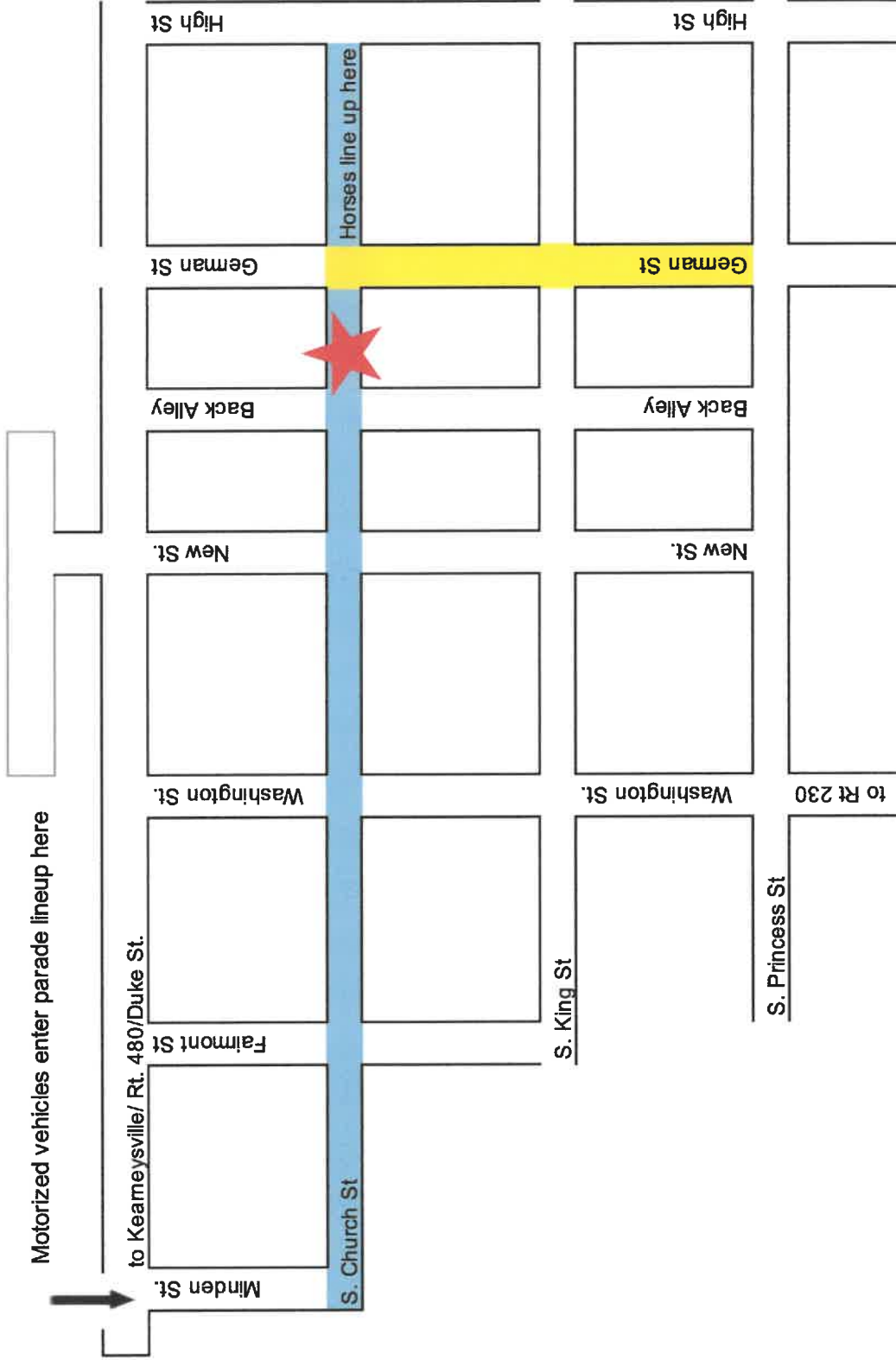
6. STREET CLOSURES. As in previous years, this year's parade route will be limited to the section of German Street between Church and Princess streets. The parade will form up on Church Street, between Minden and High streets, and disperse on Princess Street, in the block north of German Street.




Therefore, we are requesting the following closures:

- 1.) The two + blocks of Church Street between German Street and the town line just south of Washington Street from 9:30 am until 12 noon. (We also ask that the meters in the block between German and Church streets be hooded the night before, with "no parking" signs posted in that area.)**
- 2.) The block of Church Street between German Street and High Street from 9:30 am until 12 noon.**
- 2.) German Street, between Duke and Princess streets, from 10:30 a.m. until the end of the parade at 12 noon or so.**
- 3.) The block of Princess Street between German and High streets from 11:00 a.m. until 12 noon.**

INSURANCE CERTIFICATE. The Rotary Club of Shepherdstown receives general liability insurance coverage through a blanket Rotary liability insurance policy that covers all active Rotary clubs in the United States. This policy is renewed every year effective July 1. Because of this schedule, it is not possible to provide an up-to-date Certificate of Liability Insurance for any event occurring on July 4 in any year until the annual renewal process is completed. This takes place during June, typically during the last two weeks of the month. At that time, the Rotary Club of Shepherdstown will provide the Corporation of Shepherdstown with an updated Certificate naming the Corporation as Additional Insured. In the meantime, a copy of our current Certificate accompanies this request form.

Shepherdstown 4th of July parade



-  Parade entries will line up on Church St.
-  Parade coordinator will be stationed here
-  Parade route



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/11/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hylant Group Inc 811 Madison Ave Toledo OH 43604	CONTACT NAME: Crystal Gleason
	PHONE (A/C, No, Ext): 419-259-2710 FAX (A/C, No): 419-255-7557 E-MAIL ADDRESS:
Insured All Active US Rotary Clubs & Districts Attn: Risk Management Dept. 1560 Sherman Avenue Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A: Westchester Surplus Lines Insurance Company 10172
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		G73578917002	7/1/2023	7/1/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> OTHER:	Y		G73578917002	7/1/2023	7/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			Not applicable			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	Not applicable			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is cause in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER Corporation of Shepherdstown PO Box 248 Shepherdstown, WV 25443 Re: Rotary Club of Shepherdstown 2024 4th of July parade	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Judy K. Wilson</i>
---	---

Internal Revenue Service
District Director

Department of the Treasury

P.O. Box 2508
Cincinnati, OH 45201

Date: OCT 15 1993

Person to Contact:

Lois Parrott

Telephone Number:

513-684-3957

Refer Reply to:

EP/EO

Employer Identification Number:

55-0672814

Group Exemption Number:

0573

Rotary International
Shepherdstown Rotary Club
P. O. Box 603
Shepherdstown, WV. 25443-0603

RECEIVED

OCT 19 1993

Dear Sir or Madam:

COX ALLEMONG NICHOLS, CPAS

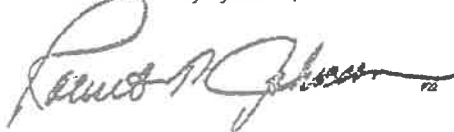
This is in response to your request for a copy of your determination letter.

Our records indicate that you are included in a group ruling issued to Rotary International National Headquarters which is located in Evanston, Illinois. Our records indicate that your organization is exempt from Federal income tax under section 501(c)(4) of the Internal Revenue Code.

There is no individual exemption letter for your organization, since you are included in a group ruling. The group exemption letter applies to all of the subordinate organizations on whose behalf the Rotary International has applied for recognition of exemption. If you want a copy of the group exemption letter, please contact your parent organization.

If we can be of further assistance in this matter, please contact us.

Sincerely yours,



Robert T. Johnson
District Director

PUBLIC WORKS COMMITTEE – MINUTES

Wednesday, February 28, 2024

10:15am

Town Hall

104 North King Street

1. Call to Order: 10:15am – Mayor Auxer (JA), Chris Stroech (CS), Marty Amerikaner (MA): Staff – Andy Beall (AB), Stephanie Grove (SG).
2. Approval of Minutes: 01/22/24 – CS motion to approve, approved.
3. Visitors: Billy & Simon from Public Works Dept, Gary Englebert, Mary Bell
Simon reported on concerns he has with the Public Works Department, including rates, pick up issues and public education, recycling processing, truck, and other issues. See emails in Packet. These issues to be conveyed to the new director.
4. Public Comment: None.
5. Unfinished Business:
 - A. International Property and Maintenance Code Issues:
 - *349 W. German St. – Letter sent with Feb. 9 deadline.
 - *332 W. German St. – Demolition to be completed by end of February .
 - B. Road Issues:
 - *Paving of Princess St. from High St. to boat landing – Letter to DOH to be drafted.
 - C. Trash and Grass Issues: No update.
 - D. Recycling Issues:
 - *Recycling Grant - Garbage truck (for glass) - Applied in 2024.
 - *Recycling Committee – no update.
 - *Glass recycling
 - *Composting
 - E. Market House: Status – Bids Received – Special meeting to be scheduled to review and accept.
 - F. Sidewalks: - Second phase of sidewalk repair in progress.
 - G. Miscellaneous Issues:
 - *FEMA Study – no update.
6. New Business:
 - A. Wayfinding – no update; Mary Bell asked for a “Keep right” sign for Sage Place. No issue and will be installed.

B. Annexation

C. International Building Code – Gary Englebert – Reported on process and enforcement requirements. If we adopt the building code, must adopt all related codes. “Building official” needed for enforcement. CS recommends that the committee receives further training on the codes before adopting them.

D. Painting of Station at Shepherdstown - to be done in spring, 2024.

E. Stormwater Infrastructure Project – Catholic Church will apply separately for grant funding for the work to be done on its property. AB reported on priority for town projects, compared to amount of funds available. Based upon his recommendations, MA motion to approve applying to fund the Fairfax Blvd Bioswale and N. Mill Street projects, second by CS, approved.

F. Storm drains cleaning – information forthcoming.

G. RFP Town Landscaping – Bids to accepted for town landscaper.

H. Public Works Utility Truck – truck has been ordered.

I. Annual Review of Garbage Rates – No action.

J. Leaning street signs –

K. Proposed HB 5351 or SB 603 – reviewed.

7. Mayor’s Report:

*MA questioned when the brick work on Princess St. and _____ Alley would performed.

*MA raised issue of snow removal – how can advise residents? Hangars on doors? Decided to include snow removal in landscaping contract.

*Discussion of staff directives and how to make sure follow up reviews are done.

8. Adjournment: CS motion to approve, second by MA, approved. Next meeting March 18, 1pm.

Shepherdstown Parks and Recreation Minutes
Town Hall
February 27, 2024

1. Call to Order: 6:05 pm

Attendees:

Committee members: Cheryl Roberts, Chair; Lori Robertson, Marty Amerikaner
Staff: Mayor Auxer, Billy Grove, Stephanie Grove,

2. Approval of Agenda: Moved: Lori, second: Marty.

3. Approval of Minutes from November 28, 2023: Moved: Lori, Second: Marty

4. Welcome Visitors: Marcy Bartlett, James Gatz

5. Unfinished Business:

a. Bane Harris Park- C. Roberts

i. Pickle Ball: net is tethered to the fence and available for use; being used on nice days. Sign is made and will be attached soon.

ii. Playground Equipment Replacement:

1. RFP{ Submission Review and Comment: There was one response received, with a bid of \$77,300 (including removal of old and installation of new equipment). This figure is to replace entire set of equipment. Bidder noted that we can have less equipment replaced and/or can repair current equipment. Stephanie will work with bidder to clarify costs and value of repair option and Cheryl agreed to meet with him at the park to discuss what makes sense regarding possible repairs.

b. Cullison Park- M. Amerikaner

i. FlexiPave update: Capitol Flexipave provided a bid of \$18000 to build the proposed extension of the walking path from the current path out to Rumsey Park. In discussing this, the idea of using ground glass to fill in the new path extension was mentioned, and Stephanie agreed to get more information about this option.

ii. Border nails: Billy agreed to address this issue either by drilling through the underlying rock or shortening the nails to allow them to be tapped down to a level surface with the border material.

iii. Stairway up to park from Mill St: The stairs and handrails need to be repaired/rebuilt.

c. Riverfront Park- J. Haynes

i. Jenny reported that the park and boat ramp are still being used frequently.

d. Rumsey Park – C. Roberts

i. Cheryl reported that the park looks very good; no vandalism is evident.

ii. The stairs/railing behind Rumsey Monument need some work to build a bottom landing area and associated handrail.

- e. Viola Devonshire Park- L. Robertson
 - i. Pickleball Update- the equipment is being kept in the installed lockbox.
 - f. Bookmark the Park- 2024: Cheryl will coordinate the program.
 - g. Fall Prevention-Age Friendly Shepherdstown- The work noted above regarding protruding nails and the stairs in Cullison, as well as the stairs in Rumsey are several items within the Fall Prevention report.
 - h. Member vacancies: 2 (Tully and Effie)- recruiting efforts have begun; Marty agreed to mention the openings in the next Town email.
6. New Business
- a. Hurley Estate- no action by Parks and Rec is needed at this time.
 - b. Future topics- repaving of park paths and basketball courts; Stephanie will add these to Capital Improvements list; the Grants Committee can be asked to explore possible grants aimed at park improvements.
7. Next Meeting- March 26, 2024, location TBD
8. Adjournment: 6:47. Lori moved, Jenny second

Respectfully submitted by Marty Amerikaner



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. Adam B. Thomas Address: 207 E. High St., PO Box 1563 Shepherdstown, WV

Phone numbers – Home: 304-283-6691 Work: _____ Cell: 304-283-6691

Email address: athomas130@yahoo.com Employer: Georgia Tech Research Institute

Occupation: Division Chief, Program Manager, Air National Guard Programs Division

Which board/commission would you like to serve on? Parks and Recreation

Please describe your background and education.

33 year career Air Force/Air National Guard officer and aviator on C-130H3 aircraft, with over 6,000 hours of flight time and over 400 hours of combat flight time.

Regents Bachelor's degree from Shepherd University ('99), with a focus on Psychology.

Master's Degree from Air University, Military Operational Arts

Currently employed with Georgia Tech Research Institute as a division chief and program manager for modernizing and maintaining older Air National Guard aircraft.

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

I previously held a Realty license and used to refurbish and sell properties.

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

Keenly interested in our green spaces and parks in and around Shepherdstown. Maintaining them and where possible, upgrading or connecting them would be beneficial to the health and wellness of town residents and visitors.

Please describe what you know about this board/commission.

Only that it supports the parks and recreational areas in and around Shepherdstown.

How did you hear about this board/commission?

Through my wife, Shannon Thomas, who is running for Town council.

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

Shannon M. Thomas (Spouse) - (651) 329-7063
Sean Murtaugh (Friend, Rotary President) - (202) 603-3997
Patrick Moriarty (Friend, Neighbor) - (571) 439-2567

Signature:  Date submitted: 6 March 2024

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.

Age-Friendly Shepherdstown

March 28, 2024

MINUTES

Attending: Marty Amerikaner, Marcy Bartlett, Bob Smiles, Linda Spatig

Approval of January Minutes with corrected meeting date

Old Business

1. Greater Shepherdstown Bike Route.

West High Street extension:

Marty and Stacey met with Shepherd University administrators twice (the first person retired and was replaced by the second) to discuss the “goat path” where West High Street ends just before University Way. Both administrators reported that Shepherd’s property ends where the Outstanding Professor of the Year Award is located. Marty will request that a statement to that effect be put in writing.

Marty also met with a WV Highways Dept employee to discuss the “goat path.” Marty was informed that the Dept of Highway’s right of way extends from German St. to the utility pole. Marty secured a written statement to that effect.

Signage:

With Stacey’s assistance, we received written statements of approval from Shepherd University to place bike route signage on campus. Further, SU administrators approved using signage design that is consistent with wayfinding bike route signage throughout the rest of the town. University administrators stipulated that university staff should be involved in the actual installation of signage on campus. This is in order to prevent any damage to university property.

We discussed the need for additional signage for safety purposes. One is signage indicating that the part of the bike route that includes the sidewalk around the SU Football Stadium must be shared with pedestrians. The other is signage- possibly a small stop sign – at the end of any future paved extension of West High Street. This would be to alert bikers that there are upcoming roadways with vehicle traffic.

Next Steps:

1. Marty will seek information about possible Jefferson County ownership of the “orphan streets” that are part of the bike route.

2. Stacey and Marty will speak with SU administrators about additional safety signage for the football stadium area sidewalk part of the bike route.
3. Marty will work with the Public Works Committee to assess the need for sharrows on the bike route and the needed stop sign on the W High St. extension.
4. Linda will seek information about the current status of the Jefferson County Wayfinding Project proposed signage for Shepherdstown.

2. Downtown Fall Prevention and Safety

Park Assessments

Marcy reported that of the four critical tripping repairs needed at the parks, two have been completed and two are being scheduled. Maintenance is being addressed by the Shepherdstown Parks and Recreation Committee and town employees.

Next Steps:

1. Begin assessment of walkways in the commercial part of German Street. Marcy will initiate this process, possibly including training based on information from Ron Eks' report about ADA guidelines for towns as well as other sources.

New Business

We discussed the possibility of delving into additional items from our Age-Friendly Action Plan, specifically the need for additional means of town transportation and the need for more affordable and accessible housing in town.

Next steps:

1. Linda agreed to revisit these issues with Eastern Panhandle Transit Authority. Linda will seek a dollar figure on possible services.

Next Meeting: Thursday, April 25 at 12:30

Shepherdstown Personnel Committee Draft Minutes
Wednesday, March 20, 2024
5:00 p.m.
Town Hall

1. Members Present: Chair Lori Robertson, Leah Rampy, Marty Amerikaner, and Jenny Haynes
2. Absent: None
3. Staff: Town Administrator Stephanie Grove
4. Visitors: Kenny Shipley
5. Public Comment: None
6. Agenda Items:
 - a. Call meeting to order
Call the meeting to order by L. Robertson at 5:02 p.m.
 - b. Approval of February 28, 2024 Draft Personnel Committee Draft Minutes
M. Amerikaner - move to approve February 28, 2024 Personnel Committee Draft Minutes. Second by L. Rampy. No objections noted.
7. Unfinished Business:
 - a. Employee Handbook Revisions - Stephanie - UPDATE
S. Grove - is looking at the cost of a consultant. HR Consultant for Handbook Policy revisions and other HR needs.
L. Robertson and committee look forward to this happening. Pending
 - b. Sexual Harassment Prevention Training - UPDATE
Christine Jeffrey - Pending
 - c. Term Length from 2-4 years - UPDATE
Election timing - wait until after election. Keep on agenda.

- d. Town Administrator Needs - UPDATE
Munis Financial System for HR/Payroll - status
S. Grove - she has put this item in the budget and will go out to bid.

- e. Job Descriptions - UPDATE
S. Grove - still working on them and is making substantial headway and feels good about them. She also wants to start working a wage scale for all employees. Pending

- f. Public Works Director - Job search listing - UPDATE
 - 1. Interviewing Committee - S. Grove has reached out to those on the committee. The job position has been listed on the website and Indeed. To date she has received a few resumes with two possible interviews. We currently have no interim director so we need move forward with interviews. The interviews should ideally take place the second week of April.

 - 2. Interview Questions - S. Grove will create the questions for the interviews and send them to the committee for feedback and possible suggestions.

- g. Name tags/Lanyards for Town Hall staff - UPDATE
 - Zoning Officer - Blue shirt with gray lettering
 - Town Hall staff - remainder of staff - lanyards
 - K. Shipley suggested Cintas for the shirts. He will drop off a shirt and a jacket for Andy to look at. The safety clothing for Public Works should have reflective strip on the pants, shirts, and heavy jackets. Safety shoes, and muck boots for the sewer plant.

- h. Pay increase for elected officials - keep on March Agenda
 - L. Robertson - suggested the Mayor to \$6K from \$2K, Recorder to \$4K from \$1500.00, and Council to \$3K from \$1200.00.
 - S. Grove - would like to reach out to the Municipal League for some comparisons. Also, this change is an ordinance revision and not a charter change.
Would like to try to get implemented before May.

- 8. New Business:
 - a. None

- 9. Adjournment:
 - J. Haynes - move to adjourn at 5:42 p.m. Second by M. Amerikaner.**

No objections noted.

Shepherdstown Tree Commission Draft Minutes

Thursday, March 21, 2024

6:00 p.m.

Town Hall

- **Members Present:** Lori Robertson – Chair, Jenny Haynes, and James Dillon.

 - **Absent:** None

 - * **Visitors:** Charlotte Baker-Shenk
1. **Call to Order:** L. Robertson called the meeting to order at 6:05 p.m.

 2. **Approval of November 21, 2023 Draft Minutes.**

J. Haynes – move to approve November 21, 2023 Draft Tree Commission minutes. Second by J. Dillon. No objections noted.

 3. **Public Comment:** None

 4. **Visitor's comments:**

 5. **Unfinished Business:**

- a. Verbiage for Comprehensive Plan –input from Commission. Pending.
- b. Monarch Way Station – UPDATE - the plants are starting to come up. James suggested maybe doing something with the boulders there to incorporate them in to a garden design. Lori suggested we have our next meeting at Rumsey to check it out.
- c. Keep as Pending - Suggestion to have Bartlett give us a quote to clear the bowl in Rumsey Park with a brush-cutter. Then plant a large White oak (red foliage in the fall) or a Chinkopin Oak and keep the bowl clear. Put a large circle around the tree for water to pool to keep it moist. *Another suggestion is to have a piece of ironworks as a focal point with drought resistant plants surrounding it.*
- d. Sage Place – Perennial Sedge for around the trees this fall-how many per tree. There are 9 trees to maintain - we can have Bartlett add these trees to their list of trees to maintain. *James to send Frank a link to purchase 100 of Wood Sedge for 3 tree wells. Terry is the contact.*

James will assess how much dirt to be out in the wells. Hw also mentioned a great volunteer effort from the residents. He also suggested 27 bags of shredded mulch for Sage Place. Will mentioned he could get it bulk at a cheaper rate - possibly 3 cu. Yards. James stated the Sedge would run about \$125 pie well with 32-50 plants per flat per well. We should become a customer to North Creek or another wholesale center Keep on agenda. Laura and Terry were here for this discussion.

- e. Thirty Seasons - the roses are roaring back along N. King St. They will have the beds in good shape for the May Day Parade.
- f. Tree Inventory – we need to send the new trees to Bartlett to be added to our tree inventory. ***It was suggested if we could have a computer here to log in trees for the tree inventory on the projector. Need to ask Amy.***
- g. Tree Lilac in front of Town Hall – put a plaque “In Honor of Pete Spaulding” Lori to reach out on FB to chat with those who had worked with Pete. We need to go ahead and order it. Pending

h. Lost Dog tree - Viking for the stump. Lori has been trying to reach Erik.-
UPDATE - James will give Lori 3 choices for Garth and Brad. An Okame
Cherry would be perfect.

i. Deb Tucker - 300 W. High St. - Kousa Dogwood has been ordered - 7
gallon. Can use a VOUCHER for this. UPDATE - DONE

j. Harvey Heyser – 203 E, High St. – a new tree we planted – he would like
it removed and we can place it Rumsey Park around the circle - He is fine
with us doing it in the fall. Keep on agenda for fall relocation and replanting
of a Sugar Maple to the right of his house. Can use a VOUCHER for
this.UPDATE - DONE

**k. Sue Kemnitzer - tags 67, 68, 69 & 70 - Back Alley behind her house -
English Ivy and poison ivy drowning on them. Lori has started this
process. UPDATE Lori and Ernie have been cutting the vines. More to do.
Possibly reach out to Bartlett to trim vines.**

l. W. High St across from Karen Moivan's home - an area between the
sidewalk and street large stones were placed there - James has ordered St.
John's Wort. Plastic will need to be pulled up when planted. UPDATE -
Thirty Seasons arrived to plant the perennials and were approached by the
homeowners to not plant them. After a lengthy discussion with Lori and the
Mayor, Thirty Season were instructed to leave. They took the plants and
planted them at the Train Station where they are thriving. -DONE

m. Heidi Glenn - Ann Magnolia from Webers- planted on King St. side.
VOUCHER. UPDATE - DONE

n. First Energy - UPDATE - DONE

o. Rumsey tree - Need to replace. With Sugar Maple - 7 gallon -
VOUCHER -UPDATE - DONE

p. Ashleigh Sanders - 202 E. German St. - wants poison ivy removed from
ground and trim trimmed - vines cut off. - Lori to trim the vines off of the

tree itself, Bartlett to trim the tree. Some have been cut. UPDATE - The home owners have been working on the tree. DONE

q. Market House - Crabapple - Bartlett needs to trim the water sprouts at the top in November for ice/snow mitigation. (Thin canopy) - Pending - DONE

r. Price - 105 S. King St. - 2 trees - need to be trimmed and one possible staked - UPDATE - *Lori to reach out to Bartlett.*

s. Carlos church on King St. - needs a White Dogwood - UPDATE - DONE

t. Popcorn store - replace the tree that was taken down due to damage - keep on agenda -UPDATE - the tree was rotten so there is a water drainage issue. The decision is to not replant but to brick it up.

u. Ann Magnolia - S. Princess Street - in front of Specialty Business Supplies - hit by car - needs to be attended to. DONE

6. New Business:

a. Request - 103 W. New St. - Justin Roedersheimer & Moria Quispe - 1-2 trees between their sidewalk and the street. Wants to discuss possibilities. *James to take a look at the site.*

b. Request - James Butcher - 216 W. German St - front sidewalk - tree roots have spread with sidewalk and curb buckling and uneven - tripping hazard. (Daughter is Janice Huckaby). *Both James and Lori to look.*

c. New member request - Charlotte Baker-Shenk - Charlotte provided the Commission with why she would like to join us.

J. Haynes - move to recommend Charlotte Baker-Shenk to the Tree Commission. Second by J. Dillon. No objections noted.

(it was suggested we look for a grant for a water truck to water the plants/trees in various areas of town)

7. Maintenance/Misc. - Spring - feeding and pest management- 2024

* Next meeting April 18, 2024 - 6pm (James is out of town)

8. Adjournment:

J. Haynes – move to adjourn at 7:12 p.m. Second by J. Dillon. No objections noted.

Minutes respectfully submitted by L. Robertson



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. Charlotte Baker-Shenk Address: 88 Shepherd Village Circle, Shept

Phone numbers – Home: _____ Work: _____ Cell: 301-801-2793

Email address: bakershenk@^{adv}com Employer: _____

Occupation: (formerly) linguistic research & teaching, community organizing

Which board/commission would you like to serve on? Tree Commission

Please describe your background and education.

B.S. Psychology - Clark University
Ph.D. Linguistics - Univ of CA, Berkeley
Research + Teaching, Academic writing - 20 years
~~IAF~~ (IAF) Individual Areas Foundation - Specialized training in
community organizing
10 years - ecumenical networking, organizational development,
Deaf leadership training

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

Gardening organically for past 35 years
Completed Master Gardener training in 2011 (Washington County, MD)
Serving on all plant-related teams at Shepherd Village = Forest Conservation,
Ecological Landscaping, Permaculture, Land Stewardship Council. Have greatly
benefitted from workshops + consultations w/ James Dillon, Bob Schwartz
(MD Botanist), Anne Aldrich (horticulturist). Have helped plant 100+ native
trees at Shepherd Village. Am giving leadership to Miyawaki-style
project to plant 200 native tree/shrub spring 2024.

McC. 3/18/24
alb.

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

Am grateful to be a resident of Shepherdstown and want to do my part.
Have come to understand huge role of trees in carbon sequestration, erosion control, cooling of urban areas — as well as providing habitat & food sources for wildlife.

Please describe what you know about this board/commission.

Oversees health & maintenance of existing town trees, hopefully planning for more. Oversees replacement of dead trees.

4 members

How did you hear about this board/commission?

Had contact when participating in Shep't Presbyterian Church tree-planting project around town. Also from James Dillon when planning/designing for trees at Sage Place.

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

Leah Rumpy 703-403-1939

Jan Hatler 540-604-6703

Signature: _____

Charlotte Baker-Shenk

Date submitted: _____

18 March 2024

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

Sorry!

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.

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

March 28, 2024

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

1. CALL TO ORDER.

The Water and Sanitary Boards meeting was called to order by S. Kemnitzer at 1:05 p.m.

2. MINUTES FROM PRIOR MEETING.

The proposed minutes of the February 29, 2024, regular meeting were reviewed and were approved with revisions suggested by S. Kemnitzer and H. Heyser.

Some comments were made at this point about whether the Jefferson County School Board had decided to connect to Shepherdstown Water/Sewer for their new Shepherdstown elementary and middle schools. See item 7.a below.

3. VISITORS.

No visitor comments.

4. FINANCES.

4.a FINANCIAL STATEMENTS - ENCLOSURE.

S. Kemnitzer reminded the board members that we plan to do a deep dive into the finances next month and requested that they submit questions to S. Grove 2 weeks prior to the meeting (i.e. by April 11) to ensure that she has time to formulate answers.

M. Godfrey asked if we could have a Balance Sheet report distributed before that.

ACTION ITEM: S. GROVE TO DISTRIBUTE A BALANCE SHEET REPORT TO ALL BOARD MEMBERS PRIOR TO APRIL 11.

J. Bresland asked whether we should actually be showing a loss when depreciation is considered. S. Grove agreed that we should and explained that she was investigating exactly how the depreciation should be accounted for.

M. Godfrey asked why two Water accounts (631 Contractual Svc-Engineering and 632 Contractual Svc-Accounting) are so far over budget.

S. Grove explained that, re account 631, the costs of the GIS project were more than expected. J. Ekstrom said that the project is almost done and there will not be a lot more costs coming in.

S. Grove explained that, re account 632, we paid for several years worth of audits this year and that had not been budgeted for.

5. FLOW AND QUALITY REPORTS.

5.a WATER REPORTS.

There were no comments or questions regarding the Water reports.

5.b. SEWER REPORTS.

There were no comments or questions regarding the Sewer reports.

6. UNFINISHED BUSINESS.

6.a WATER PLANT IMPROVEMENT PROJECT.

J. Ekstrom reported that the 2nd pump is due to arrive this week and be installed next week. The project is on schedule to be complete next Thursday (April 4).

6.b UPDATE ON WATER DISTRIBUTION PROJECT.

J. Ekstrom reported that the contractor has most of the necessary equipment in their staging area. The pipe is scheduled to be delivered next week and they are still waiting on the fittings and valves. Current estimate is that they will be able to start work in 2 weeks. He also explained that he is still working on getting clarification on the exact payment mechanics with respect to the Army Corps of Engineering.

6.c 120 WATER - CUSTOMER SURVEYS - EXPLANATION.

S. Grove reported that she had a phone call from WV Rural Water suggesting that we not send out the surveys because they had to recall a large number of their surveys due to inadequacies. However, the 120 surveys were reviewed and found to be adequate. S. Grove has a meeting scheduled with WVRW on April 8 to review the survey information.

At this point J. Ekstrom left the meeting.

6.d WATER BOARD MEMBERS AND TERMS.

S. Kemnitzer asked J. Ford if he would like to be nominated for another term and he agreed that he would. She said that S. Knuppel has decided not to serve another term, that she had received a resignation letter to that effect and that she believed Jack Eagleton is interested in serving and would suggest that he volunteer to do so.

J. Auxer said that he would submit the nomination of J. Ford to Town Council for approval.

ACTION ITEM: J. AUXER TO SUBMIT THE NOMINATION OF J. FORD FOR ANOTHER TERM ON THE WATER BOARD TO TOWN COUNCIL.

It was generally agreed that we should wait until next month to discuss the terms of J. Bresland and R. Keller.

6.e 3M PFAS SETTLEMENT.

S. Grove explained that this item should not have been included on the agenda.

7. NEW BUSINESS.

7.a SCHOOL BOARD WATER/SEWER DECISION.

S. Grove said that she spoke with the school board facilities representative who told her it was too late to change the decision to not connect to Shepherdstown water and sewer.

J. Bresland reported that he spoke with someone in the County Health Department and was told that this decision had been made at the State level.

7.b WATER QUALITY REPORT.

S. Kemnitzer suggested that we include non-technical information that would be informative to customers in future mailings of the State-mandated Water Quality report. There was general agreement.

J. Ford suggested that one or more members of the board should take the lead rather than create more work for the staff. S. Kemnitzer suggested that she and J. Ford take the lead and he agreed.

8. OLD BUSINESS.

8.a HYDRANT REPORT - ENCLOSURE IN PACKET.

C. Coe reported that the report included in the packet was up-to-date and that work on hydrants would be done after the end of the current school year in order to minimize disruptions.

9. MAYOR'S REPORT.

The Mayor reiterated the need to get any financial questions to S. Grove in a timely fashion.

10. NEXT MEETING DATE.

Our next regular meeting will be Thursday, 25 April at 1:00 PM.

11. SUMMARIZE ACTION ITEMS FROM THIS MEETING.

4.a: S. Grove to distribute a Balance Sheet report to all board members prior to April 11.

6.b: J. Auxer to submit the nomination of J. Ford for another term on the Water board to Town Council.

12. DRAFT AGENDA FOR NEXT MEETING.

13. ADJOURNMENT. S. Kemnitzer adjourned the meeting at 1:39 p.m.

Respectfully Submitted: J. Ford



BOARDS AND COMMISSIONS APPLICATION – M. Morningstar

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

Name: Ms. Madge Morningstar

Address: 44 Sage Place, Shepherdstown WV 25443

Phones: Work: (202) 681-2711

Cell: (805) 540-4088

Email address: Madge@MorningstarGrants.co or MadgeMorningstar@gmail.com

Employer: self (Morningstar Grants Consulting, LLC) **Occupation:** Grants Consultant

Which board/commission would you like to serve on? Planning Commission

Please describe your **background and education.**

K-12 in Washington and Frederick County public school system (MD)

Two years of undergraduate studies at Frederick Community College, 1992-1994

BA in Sociology from University of Colorado at Boulder, 2000

Ten years sales experience (office equipment, automotive, pharmaceuticals, etc.) 2000 - 2010

Ten years in youth-focused, non-profit service-delivery/administration (BBBS, etc.) 2010 - 2020

Three years as Executive Director of Sponsored Programs at Shepherd University 2020 - 2023

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

Ten years in Toastmasters International (One year as Area Governor, SLO County CA) 1998 - 2008

15 years as Landlord/Property Manager for 6 rental units (CO, CA & WV) 2008 to present

Design and supervised construction of homes within town limits (40 & 44 Sage Place) 2018 - 2020

Two years as HOA President (Sage Place Commons) 2020-2022

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

I'm keen to support Jim, Andy, Leah and Ebonè in the excellent work they are currently doing to nurture and develop our special town. (I look forward to meeting the rest of the commission.)

Although I've only been a true Shepherdstown resident since 2018, I have very strong emotional ties to this community. My maternal grandfather and all that side of my family were/are from Shepherdstown. He attended Shepherd "College," as did my mother and aunt. I lived nearby, in Washington and Frederick Counties, for my entire childhood. Before I moved here, I regularly attended events and gatherings here with my family (including mother's day brunches, plays and concerts, my grandmother's memorial service and my own wedding reception!).

Finally, over the last three decades, I've had the privilege of belonging to several communities where natural resources (oceans, mountains, & rivers), public assets (protected open spaces, state & national parks) and social factors (progressive, inclusive, & well-resourced) combined to create unique and cherished communities. In Boulder, CO and Los Osos, CA I witnessed leaders grappling with the challenges of balancing tourism and economic development needs against the goals of preserving community stability and maintaining affordable housing. In both towns, a strong university presence offered opportunities as well as obstacles to the non-academic businesses and residents. These locations were also within commuting distance to larger cities, which caused significant development pressure within and abutting the town limits. Now that I've come home to Jefferson County, I'm eager to be a more active participant in finding and applying creative and successful approaches to these kinds of challenges.



BOARDS AND COMMISSIONS APPLICATION – M. Morningstar

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

Please describe **what you know** about this board/commission.

I attended several meetings during the construction phase for Sage Place and have attended a couple more in the past few months as part of my decision-making process before submitting this application. My understanding from those observations is that the commission is charged with protecting and benefitting the current and future residents (and broader community) of the town by providing well-informed, carefully considered and objective decisions on issues relating to physical construction/renovation/development, environmental impacts, social use of space (parades, parks, etc.), signage and such. I haven't read the current or proposed comprehensive plan yet, but I imagine that will give me an even better idea about what the commission is and does. I also look forward to understanding the boundaries between the planning commission's scope of responsibility and that of the Historic Landmarks Commission.

How did you **hear about** this board/commission?

I first attended a meeting when I was seeking approval for my own construction plans.

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

Jim King - Shepherdstown Rotary Club President, Mills Group Project Manager & Architect – (304) 546-5213
President Mary Hendrix, PhD - Shepherd University President – (304) 876-5107

Signature:

Date submitted: March 19, 2024

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.



Jim Justice
Governor of West Virginia

March 21, 2024

The Honorable Arthur Auxer, III, Mayor
The Corporation of Shepherdstown
104 North King Street
Shepherdstown, WV 25443

Re: Community Project Funding

Dear Mayor Auxer:

The Office of the Governor received a request for \$135,767 in state funds to help match a federal earmark of approximately \$543,064 from the U.S. Department of Transportation for the Shepherdstown Path Project. Certain funds have previously been appropriated by the West Virginia Legislature to be used to help draw down federal funding such as this, and I write to you today to say that these funds are available on this important project in Jefferson County, once approved by all relevant parties.

Please let this Office know progress in receiving the federal earmark and on the project itself, so that the state funding component can be transferred when appropriate. Please don't hesitate to reach out directly with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Ann Urling".

Ann Urling
Deputy Chief of Staff

SHEPHERDSTOWN

EST.

2023



BRINGING
COMMUNITIES
TOGETHER TO
SUSTAIN
POLLINATORS



BEE CITY USA

4-6:30PM

FUNDRAISER & KICKOFF PARTY

ALMA BEA

202 E WASHINGTON ST. SHEPHERDSTOWN, WV

MORE INFO: SHEPHERDSTOWNBEECITY@YAHOO.COM

TICKETS \$5 IN ADVANCE OR AT THE DOOR.



TICKET INCLUDES ONE ENTRY FOR THE RAFFLE.

- SILENT & LIVE AUCTION
- RAFFLE
- CASH BAR & SMALL-BITES MENU
- LIVE MUSIC & LOCAL ART
- GIVEAWAYS FOR POLLINATOR LOVERS

Jefferson County Development Authority

Overview

Edwina Benites-LM
Executive Director



JEFFERSON COUNTY
DEVELOPMENT
AUTHORITY

WHERE BUSINESS FEELS AT HOME

West Virginia Code:

§7-12-1, et seq

This section of the West Virginia Code allowed every municipality and county commission to create a “development authority.”

Purpose of the authority is to:

“Promote, development and advance the business and prosperity and economic welfare of the municipality or county for which it is created...”

Attract, retain, and grow businesses while encouraging community development.

Purposes: §7-12-2

- **Encourage through the assistance of loans, investments or other business transactions in the locating of new business and industry within the jurisdiction and rehabilitate and assist existing businesses; and**
- **Stimulate the expansion of all kinds of business and industrial activity which will tend to maintain economic stability; and**
- **Provide maximum opportunities for employment, encourage thrift, and improve the standard of living of the citizens; and**
- **Cooperate with other organizations, federal, state, or local in the promotion and advancement of industrial, commercial, agricultural, and recreational developments; and**
- **Furnish money and credit, land and industrial sites, technical assistance, and such other aid as requisite for the promotion, development, and conduct of all kinds of business activity.**

Jefferson County Development Authority

- Created in 1979
- Current order includes 15 members, including:
 - Representatives from each municipality (Code)
 - Seven citizen representatives
 - One labor representative
 - One Board of Education representative
 - One county commissioner

** Code requires members from each municipality, at least one labor representative, at least one industry representative, at least one business representative, and one county commissioner

2018

Community
Change

Community protests

12 of 21 board members resign

State takes over PILOT

Growing median household income

Jefferson County: Grew significantly even through 2020 – \$75k– \$85k.

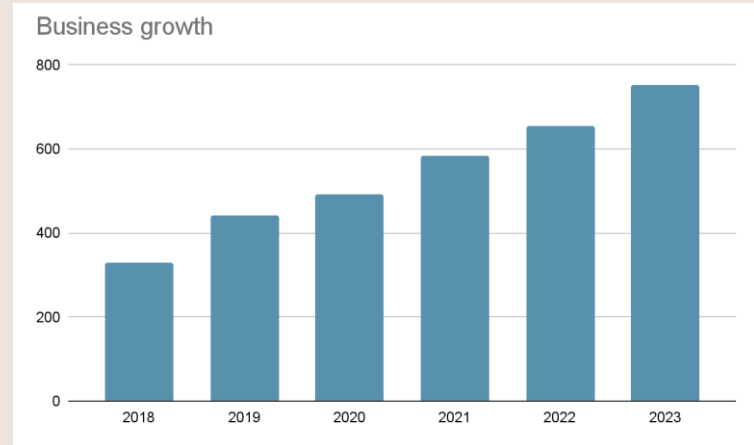
West Virginia: Dropped significantly between 2019 and 2021 – from \$61k to \$50k.

Loudoun County, VA: Has remained fairly flat – \$151k– \$153k between 2019 and 2021. There was a slight bump in 2020.

Frederick County, MD: Has remained fairly flat – \$103k– \$104k. There was a slight dip in 2020.

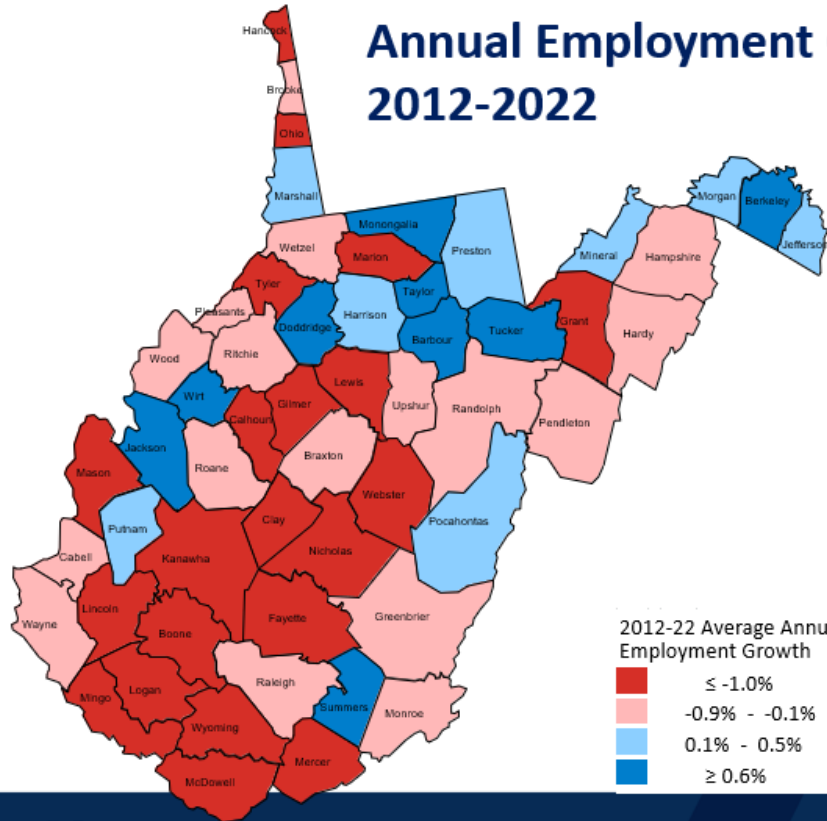
Statistics

- Low unemployment Jefferson County 2.2- 3.1% (2023) vs.
 - West Virginia: 3.3- 4.4%
 - Loudoun County, VA: 2.1-2.7%
 - Frederick County, MD: 1.5- 2.8%
- Growing commercial base. The number of businesses registered in the County has steadily grown:
 - 2018: 329
 - 2019: 443
 - 2020: 492
 - 2021: 584
 - 2022: 656
 - 2023: 753

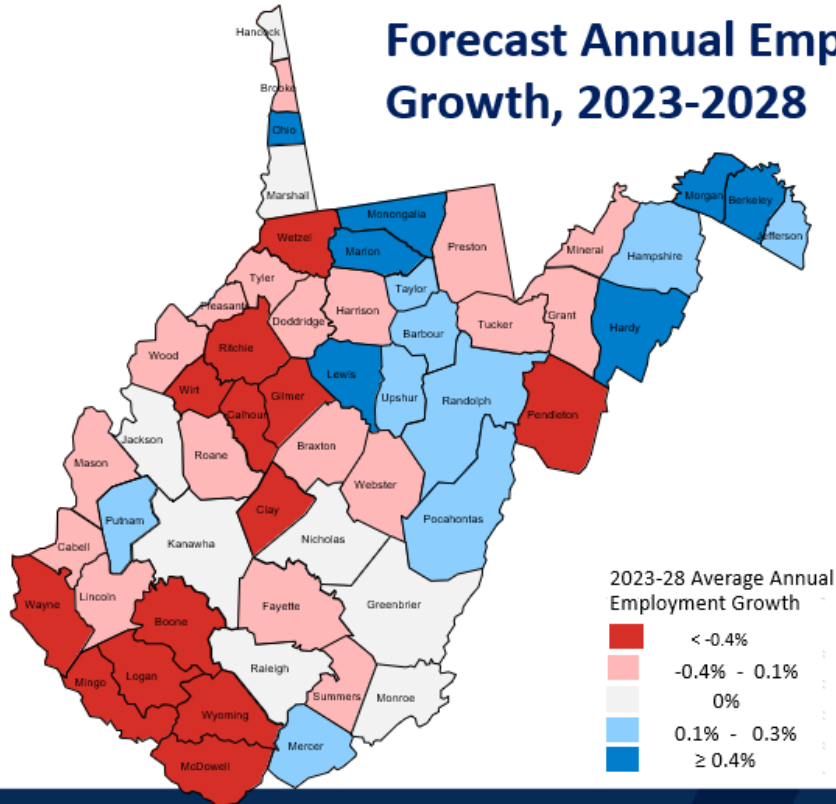


Annual Employment Growth, 2012-2022

Recent
historic
growth

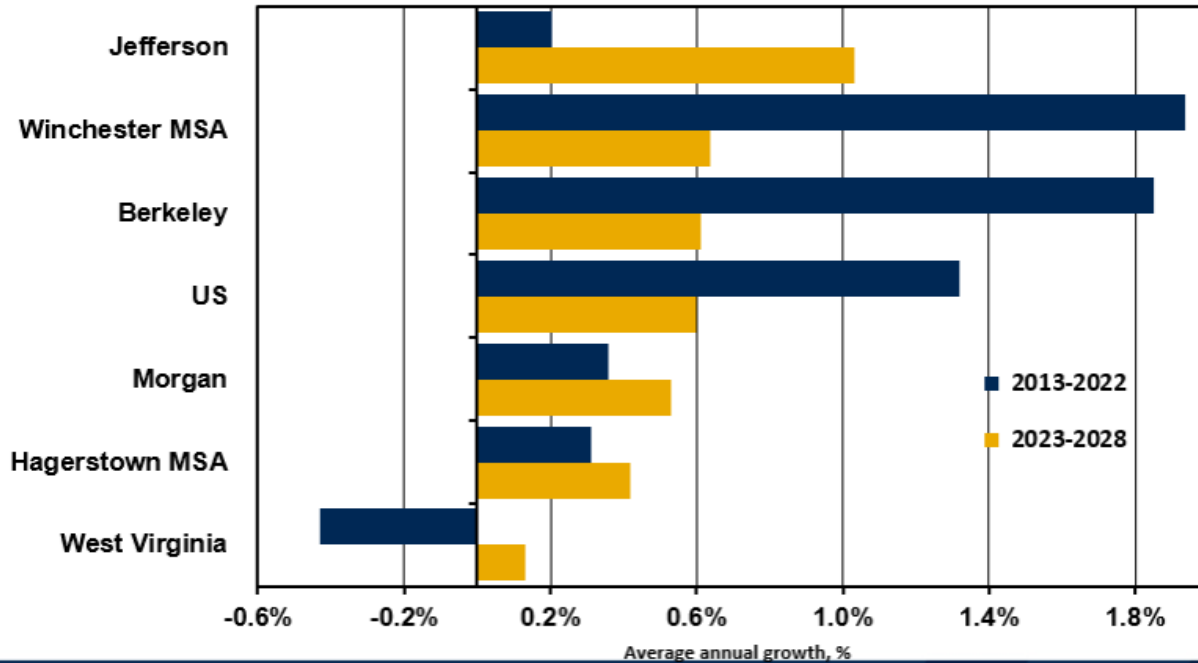


Forecast Annual Employment Growth, 2023-2028



Projected growth

Employment Growth Forecast - EPH

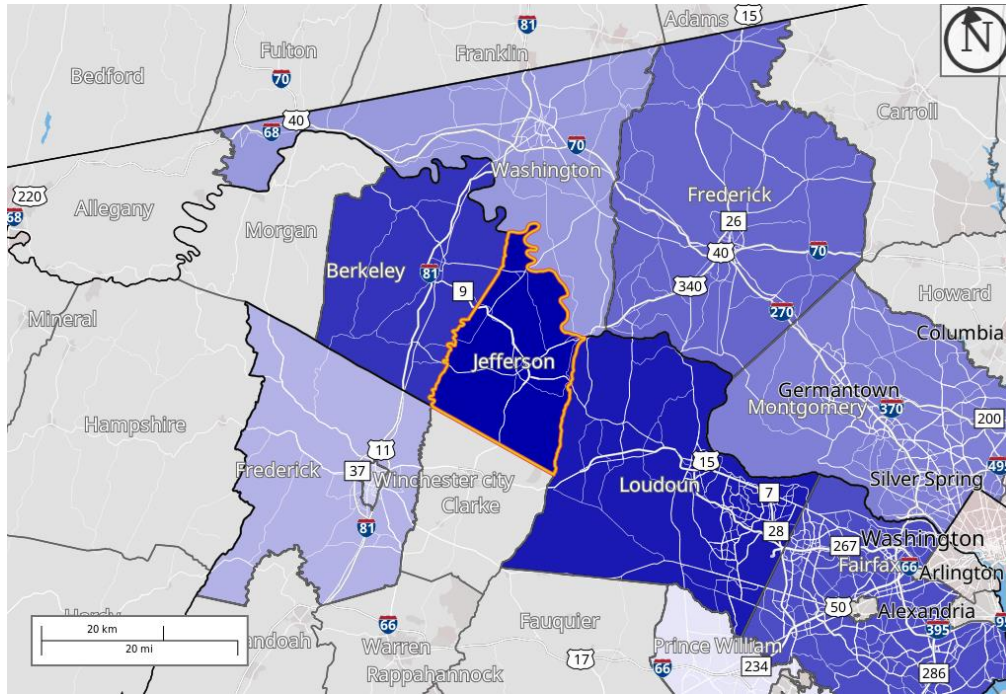


Jefferson
is
expected
to lead
employ-
ment
growth-
2023-
2028

Identified needs of the Eastern Panhandle in the WVU Economic Outlook:

- Human capital
- Infrastructure to support future development

Work vs. Home: Work Destination Report

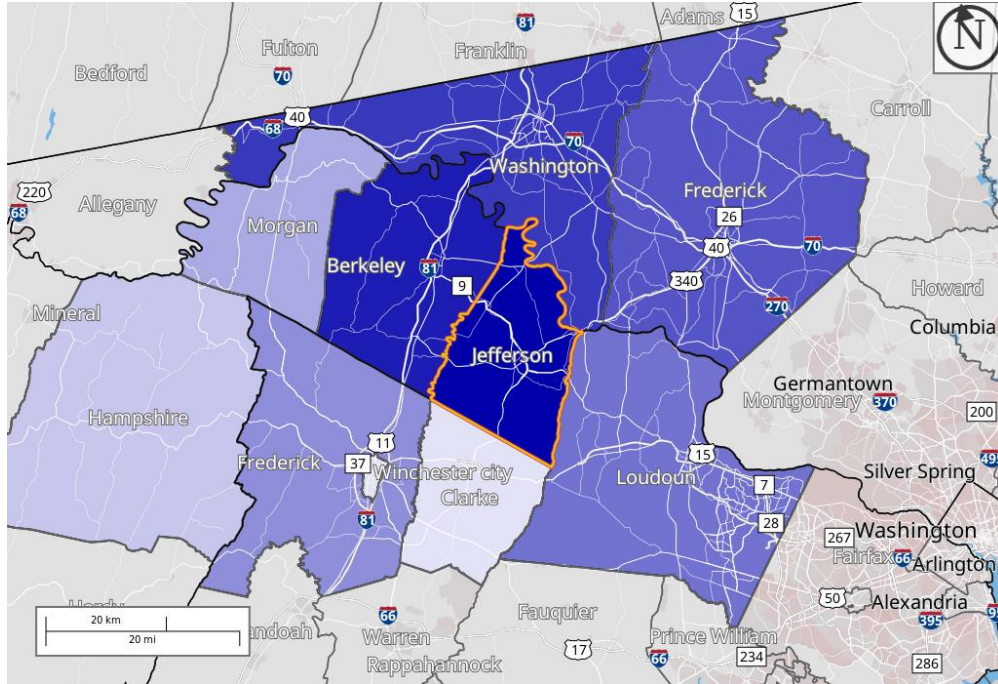


The US Census reports that a significant number of residents work outside of the County. Residents primarily work in:

- Jefferson County, WV
- Berkeley County, WV
- Loudoun County, VA

Other significant sources of work are Frederick County, MD; Fairfax County, VA; Arlington County, VA.

Work vs. Home: Home Destination Report

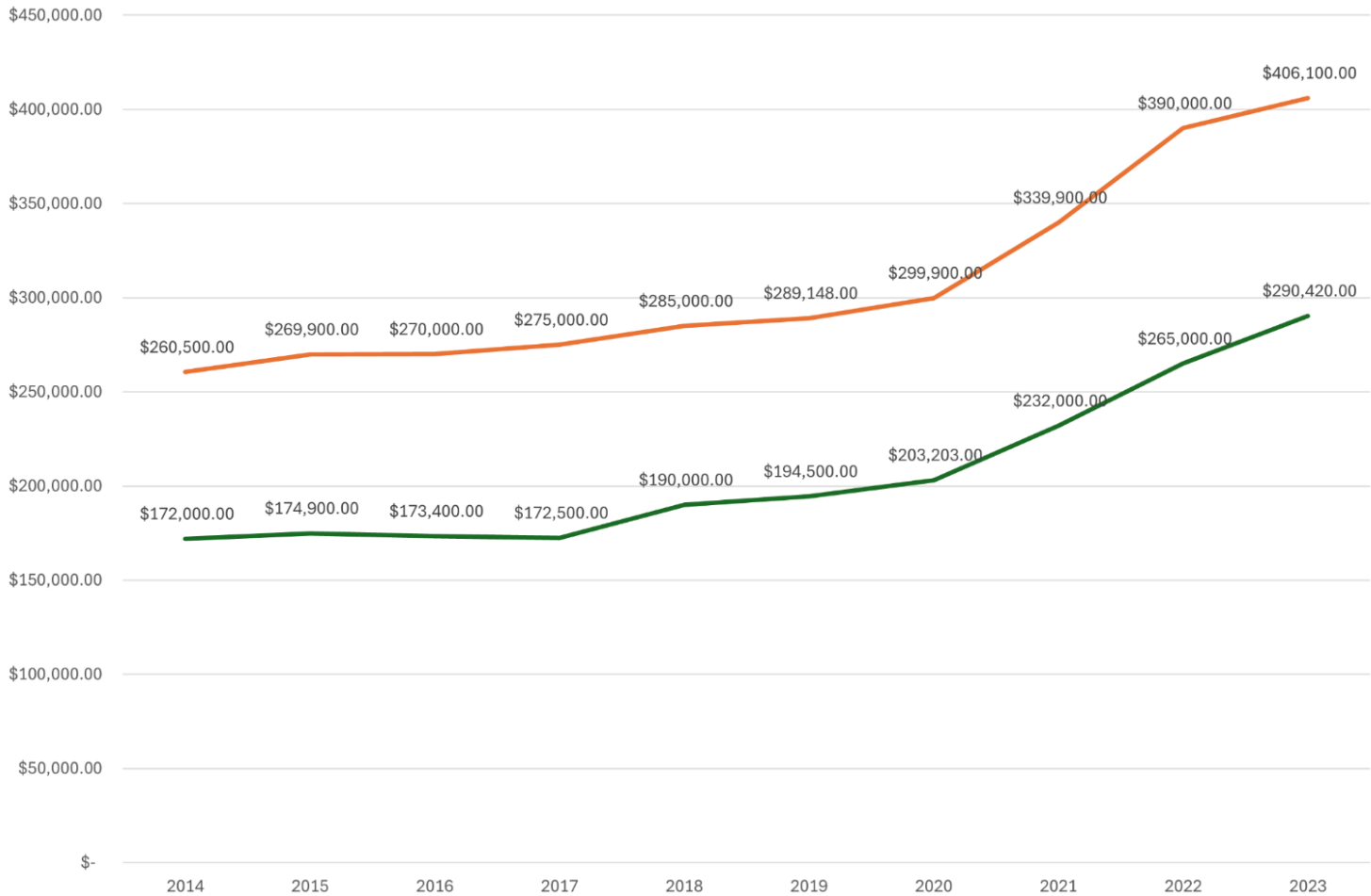


The US Census reports that a significant number of workers live outside of the County. Workers primarily live in:

- Jefferson County, WV
- Berkeley County, WV
- Washington County, MD

Other significant sources of housing are Frederick counties, MD and VA; Loudoun, VA; Morgan County, WV; and Hampshire, WV.

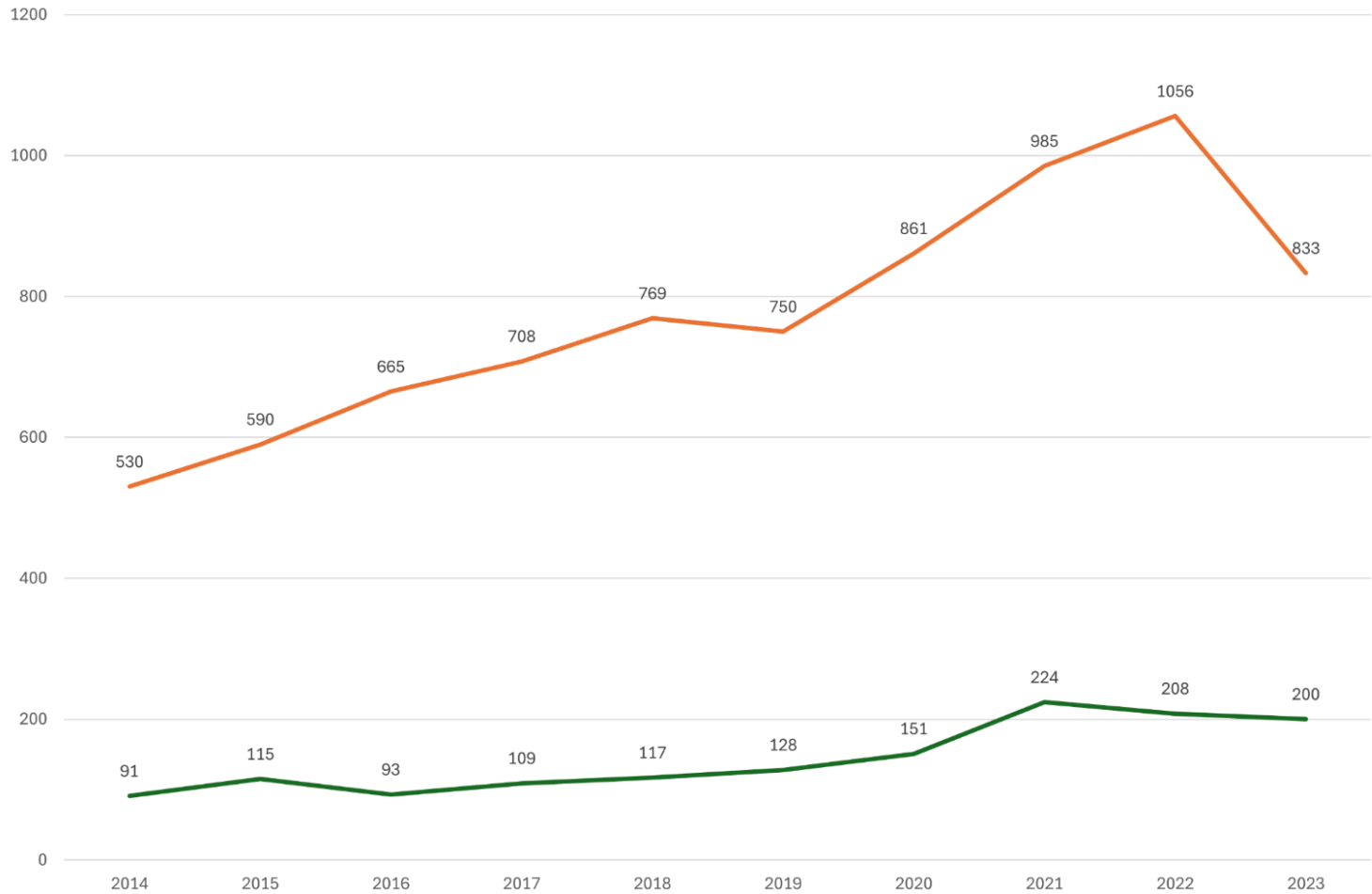
Median Housing Price



Source: Jefferson County, WV Assessor

— Median Single-Family Price — Median Townhome Price

Number of Sales



Source: Jefferson County, WV Assessor

— Single Family Total Sales — Townhome Total Sales

Housing in Jefferson County

2023 estimates of housing units and occupancy types

Jefferson County

- 24,972 housing units
- 71.5% owner-occupied
- 20.6% renter occupied
- 7.9% vacancies

West Virginia

- 879,711 housing units
- 61.7% owner-occupied
- 23.3% renter occupied
- 15% vacancies

United States

- 145.41M housing units
- 56.4% owner-occupied
- 33% renter occupied
- 10.5% vacancies

Strategic Plan: 2021-2025

Goal 1: Recruit new businesses to Jefferson County.

Goal 2: Support the sustainability, growth, and expansion of existing businesses in Jefferson County.

Goal 3: Market and promote Jefferson County as a great place to do business.

Goal 4: Increase and diversify funding sources to support operations, programs, and future business-building initiatives.

Strategic Plan: 2021–2025

Goal 5: Advocate for infrastructure resources, policies, and legislation directly impacting economic expansion and business growth in Jefferson County.

Goal 6: Build strong strategic partnerships with municipalities, economic development organizations, community stakeholders, and regional and state partners to facilitate optimal economic development planning and growth.

Goal 7: Strengthen organizational effectiveness through stronger governance.

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
- Working with local governments- ie, redevelopment of downtowns
- Regulatory and legislative changes to improve the business environment

Current priorities

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
- Working with local governments- ie, redevelopment of downtowns
- Regulatory and legislative changes to improve the business environment

Small business development

Adding small business retention and expansion

- Staff person dedicated to small business growth
- Partnership with stakeholders in small business growth
- Jump Start Jefferson, Rising Tide Society, Eastern Panhandle Entrepreneurs Forum (EPEF)
- Economic analysis reports



Rising Tide Society



Upcoming classes

- Free
- Free College Credit

- February: government contracting
- March: Permitting
- April: Small business marketing: Facebook
- May: Small business insurance
- June: Networking and relationship building

- Small business development
- Community development
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Community development

Jefferson County Day Care Crisis

2023 Study conducted by the JCDA revealed:

The average wait time between seeking care and finding care is **13.3 months** in Jefferson County while it is only 6 months in Berkeley County and 3 months in Frederick County, MD

Capacity:

Jefferson County: 1 day care opening for every 53 residents.

Frederick County, MD: 1 day care opening for every 28 residents.

Frederick County, MD, has double the capacity and 1/4th the wait times.

YMCAs are non-profit entities- 501c(3)s

YMCAs are the largest provider of child care in the United States.

YMCAs manage more pools than any entity in the world.

A regionally local Y partnered with WVU Medicine to conduct a feasibility study to locate in Jefferson County, Berkeley County, or both. The proposed facility will likely include a pool, child care, and possibly health and wellness. The feasibility study showed high feasibility in both counties.

The last facility built by the YMCA of Frederick was roughly ~60,000 square feet and a \$23.3 million investment.

It was built between two schools- a middle school and a high school. When the school bell rings, roughly 700 children flood to the Y- keeping out of trouble and under the direction of “teen coordinators” until parents are off work.

WHEREAS, the top need identified by most leaders of Jefferson County is activities for kids and families, early-career single adults, and the elderly; and

WHEREAS, Jefferson County local governments have consistently recognized the need to expand both recreational opportunities and child care programs to support residents; and

WHEREAS, when choosing a location, businesses rate quality-of-life features like recreation and child care facilities as highly important; and

WHEREAS, the average wait time between seeking child care and receiving a placement in Jefferson County is 13.3 months; and

WHEREAS, the average wait time for child care far exceeds the neighboring counties – Berkeley County, WV, at 6 months, and Frederick, MD, at 3 months; and

WHEREAS, in addition to the public-at-large and Shepherd University students, the area's six high school swim teams (Berkeley and Jefferson counties) must share the Shepherd University pool facility, resulting in limited and truncated practice times for each team; and

WHEREAS, the YMCA is the nation's largest provider of child care programs.

Increasing day care capacity

- Assisting with the **expansion** of two centers– roughly 80 additional slots
- Assisting with the **attraction** of new day care providers– roughly 180 slots

Regulator and Legislative Changes:

- Considering zoning change requests to standardize state and local requirements on small child care centers– which would increase capacity.
- Working with the State Chamber of Commerce to advance additional child care construction tax credits.

Small child care centers are provided for as “Day Care Center, Small” in the Jefferson County Zoning Ordinances.

The definition provides for this characterization when providing for care for 5 or fewer.

West Virginia Department of Health and Human Resources provides a license to its smallest providers—defined as “Family Child Care Home.”

This definition provides for this characterization when providing care for 6 or fewer.

Jefferson County Zoning: Child Care

Encouraging water and sewer deployment

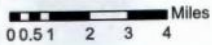
- Working with the State regarding PFAS/ PFOS.
- Working with municipal water systems on reducing leaks increasing water and sewer deployments– some systems leak up to 50% of the water produced.
- Providing comments to County and municipal comprehensive plans to encourage water and sewer deployment to planned growth areas.

Jefferson County, WV Water & Sewer Service Areas

Disclaimer: All service areas are approximate, based on the area maps provided by the Utility Companies shown. Areas are current as of map publication; all service areas may be extended at any time. For detailed boundaries, please contact the Utility Company that provides service for that area.



- Service Areas**
Company, Type
- Berkeley County Water, Water & Sewer
 - Charles Town Utility Board, Sewer Only
 - Charles Town Utility Board, Water Only
 - Charles Town Utility Board, Water & Sewer
 - Harpers Ferry Water Works, Water & Sewer
 - Jefferson Utilities Inc, Water Only
 - Jefferson Utilities Inc, Water & Sewer
 - Shepherdstown Water Department, Water Only
 - Shepherdstown Water Department, Water & Sewer
 - Preferred Growth Area (E20035)
 - Municipality Growth Boundary



Map Created: 8/23/2023

Water and Sewer Deployment in PGAs

Transportation

Broadband deployment



Train Station (Harpers Ferry, WV)



Fiber Cable



US 340 Rockslide Re-Route (Harpers Ferry, WV)

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
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- Regulatory and legislative changes to improve the business environment

Agricultural business development and sustainability



Section 32 Funds US Department of Agriculture

In 2023, there was a backstock of shelf-stable apple product, and apple growers were only guaranteed their contracted minimums.

Jefferson County apple growers would have no buyer for the majority of their crop- hundreds of thousands of bushels of apples.

- Visa workers had already arrived to pick apples
- Apples were scheduled to fall and rot

The JCDA worked with the US and West Virginia departments of agriculture and the congressional delegation to sell apples through Section 32 funds. These purchases help support food banks, etc.

This program had not been used in the Panhandle before. Our work saved a crop, provided work, diversified income streams, and benefited regional food pantries.



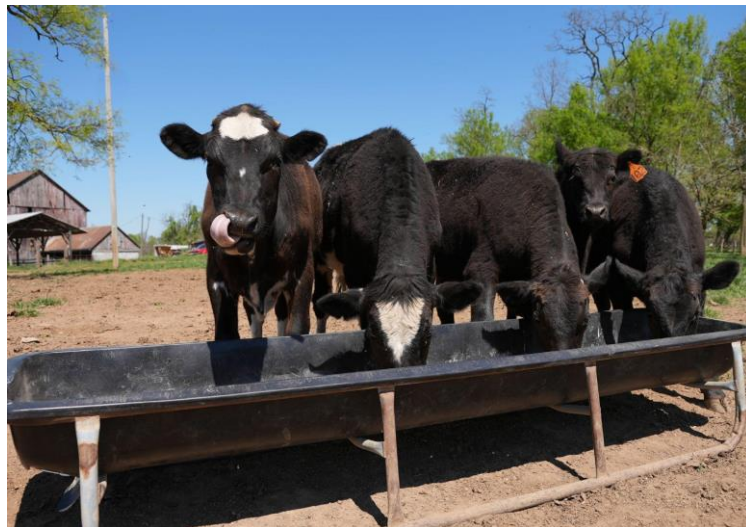
Supporting agricultural businesses

Grown

- GeneRose Farms LLC
- Appalachian Greens
- Level Green Farm
- Huckleberry Farm LLC
- Av-Ridge Orchard and Apiary
- Young Harvests
- Two Twigg Farm
- Southwood Farm Forge
- Guide House Gardens
- Hill's Farm Fresh Produce DBA The Fruit & Veggie Wagon
- Middleway Farm
- Walnut Hill Farm LLC
- Reddington's Farm & Orchard
- Two Birds
- Shenstone Farm
- Santa's Woods
- Green Horizons Turf Farm
- Brown's Farm LLC
- Windward By Lost Acre and Windward Blooms
- Sacred Roots Herbal Sanctuary

Made

- The Black Dog Coffee Company LLC
- Devil's Due Distillery
- Tonic Herb Shop



Jefferson County Vineyards? Wineries?



Preserving farmland is difficult as property values increase and farmers see financial gain in selling their land into development.

In the 1990s, Loudoun County worked with the county and state development authorities to write the *200,000 Acre Solution* to address hurdles in creating vineyards.

Because of Loudoun's work, Loudoun went from one historic vineyard before 1996 to the largest number of vineyards in the State of Virginia in 2017- 20 years. It is now a \$36 million annually industry (2017 statistic).

- The JCDA is working with WVU Extension to dispel the myth that West Virginia can't grow grapes and/ or can't grow good grapes.
- Working with a newly established WV Agritourism Association.
- Meetings to collaborate with the State departments of Agriculture, Economic Development, and Tourism.
- Meetings with Loudoun EDA staff.
- Meetings with vineyards, wineries, distilleries- both existing and potential.
- Legislative request to establish a commission to review the ABCA to support the establishment of vineyards, wineries, and distilleries.



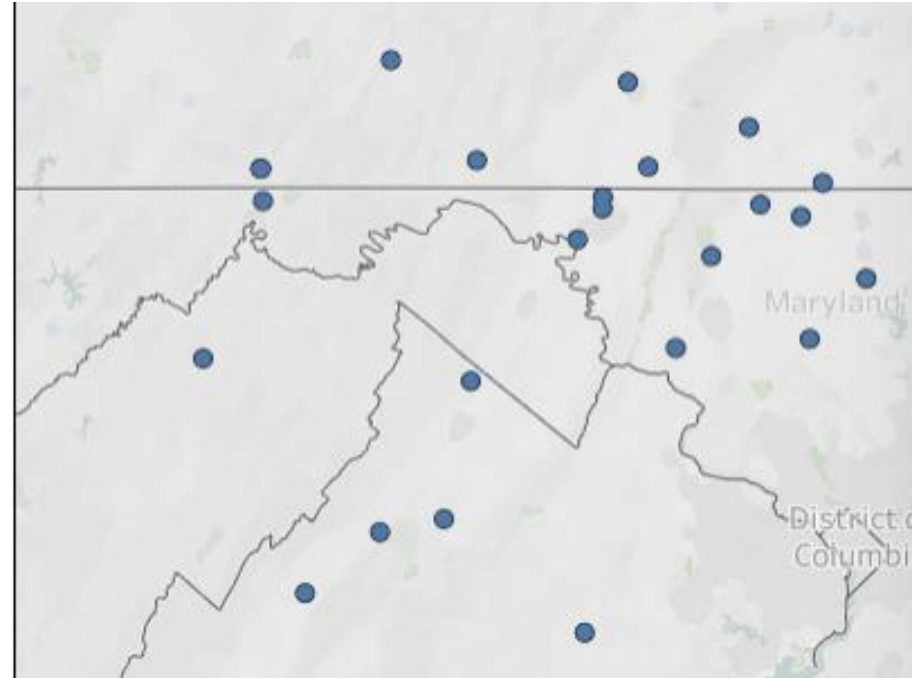
Residents request additional meat processing

Jefferson County produces a significant number of livestock for the meat market. There are no meat processors in the Eastern Panhandle, and there is a significant wait for a processing appointment.

The JCDA is working with Zoning to ensure opportunities for processing.

The JCDA organized an attraction visit to learn more about desirable features of a processing facility.

A market study and website will be available soon to help attract a meat processor.



Meat processing

Government contracting

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
- Working with local governments- ie, redevelopment of downtowns
- Regulatory and legislative changes to improve the business environment

HUBZones

What is a HUBZone?

A HUBZone, or a Historically Underutilized Business Zone, is a US SBA program that allows disadvantaged businesses to compete for federal set-aside contracts, offering employment and growth opportunities where they're needed for positive economic impact.

What are the benefits of a business being in a HUBZone?

HUBZone-certified businesses get a 10% price evaluation preference in full and open contract competitions.

How is a HUBZone determined?

Specifically in Jefferson County, HUBZones are based on poverty rates pulled from U.S. Census data.

How many HUBZones are in Jefferson County?

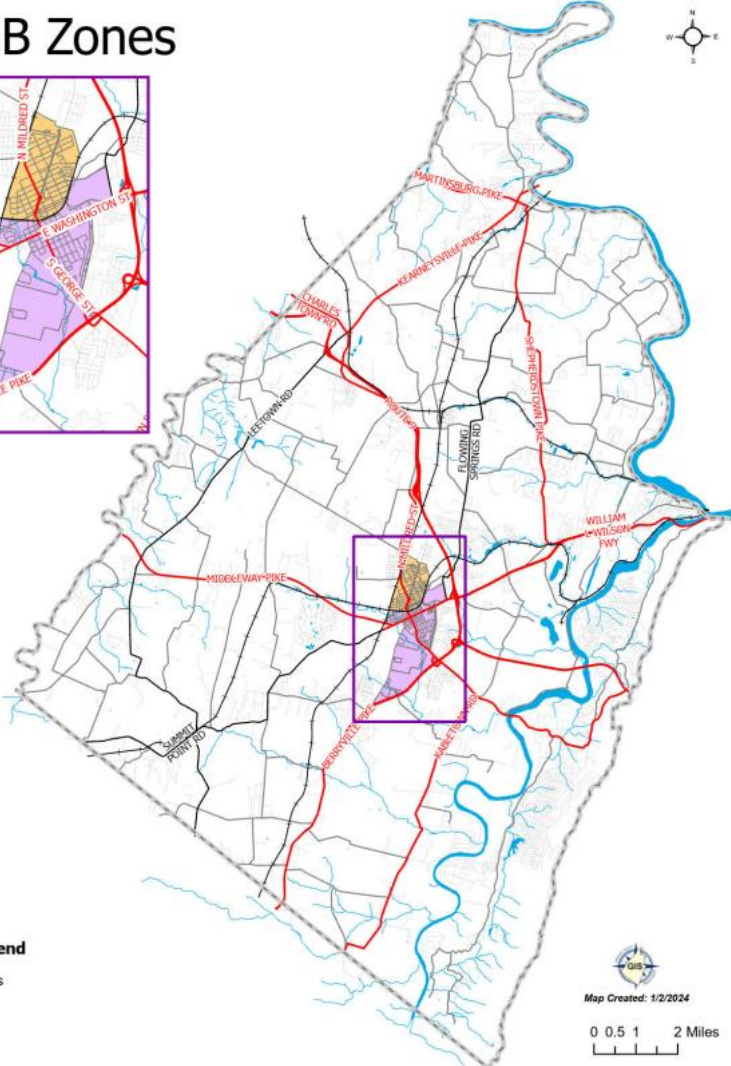
There are currently 2 HUBZones within the County– census tracts 9725.05 and 9724.01 which cover portions of Charles Town and Ranson city limits.

When are the HUBZones in Jefferson County set to expire?

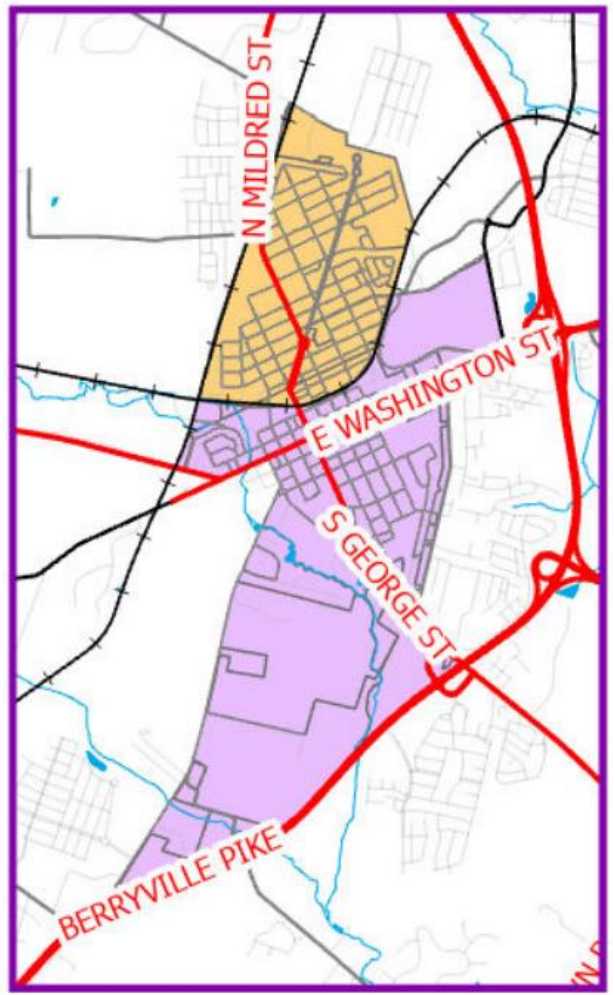
Both HUBZones are set to expire on July 1, 2026.



HUB Zones



- Legend**
- HUB Zones
- TRACT
- 972401
 - 972505



Opportunity Zones

What is an Opportunity Zone?

An opportunity zone is a designated area that provides investors and new businesses with tax incentives and deferred benefits to support recovery in distressed communities.

What are the benefits of a business locating in an Opportunity Zone?

Investors are provided with tax incentives for investing in rural or low-income areas. New businesses benefit from the real estate or business investments within these areas, while also enjoying tax deferring benefits on any capital gains received from these investments.

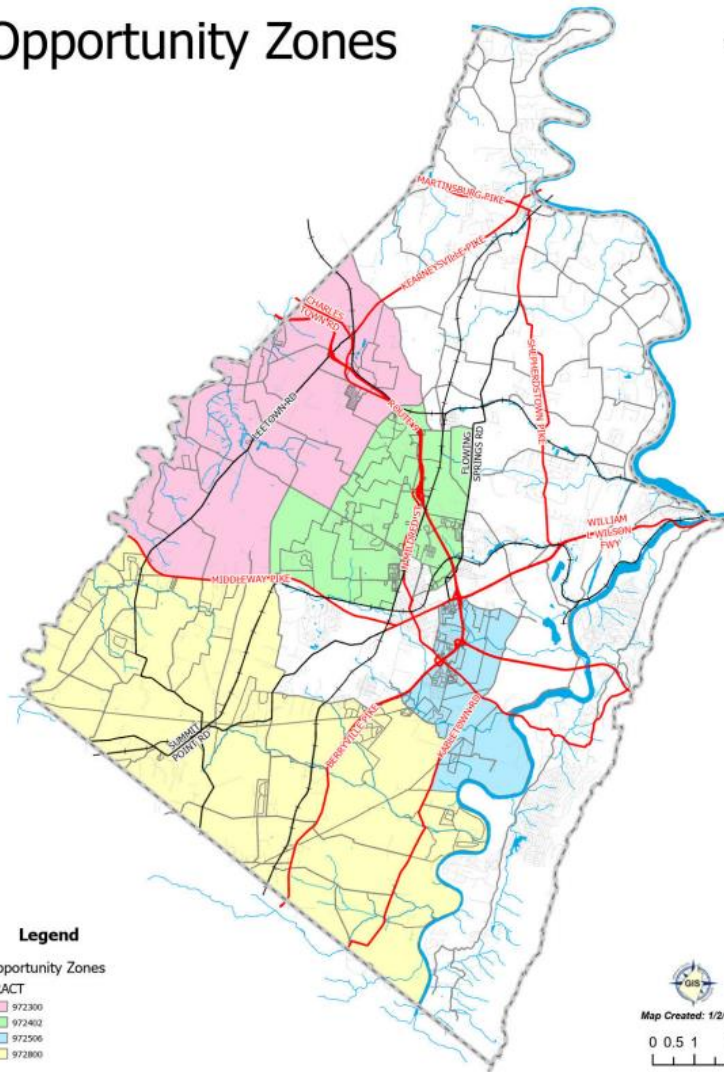
How is an Opportunity Zone determined?

The governor is able to determine 25% of the total number of eligible areas. Low-income census tracts are used to determine eligible areas within each state. These low-income census tracts are areas where the individual poverty rate is at least 20% of the median family income is no greater than 80% of the area median. Designated opportunity zones remain in place for 10 years.

How many Opportunity Zones are in Jefferson County?

There are currently 4 opportunity zones within the county— census tracts 9723, 9724.02, 9725.06, and 9728.

Opportunity Zones



Legend

Opportunity Zones

TRACT
972300
972402
972506
972800



Map Created: 1/2/2024

0 0.5 1 2 Miles



Government Contracting

Jefferson County has several “unique selling propositions:”

- A variety of federal, state, and local governmental entities
- Close proximity to DC
- 4th largest federal contractor in the State of West Virginia
- First available unrestricted air space in close proximity to DC’s restricted airspace
- Highly educated workforce and local university

And unique hurdles:

- FY 24 closure of the SBA’s Women’s Business Office to the northern 31 counties
- Needed infrastructure for growth- example: water/ sewer deployment
- Future HUBZone reclassification

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
- Working with local governments- ie, redevelopment of downtowns
- Regulatory and legislative changes to improve the business environment

Working with local governments- ie, development of downtowns

Comprehensive Plans

- Jefferson County
- Bolivar
- Shepherdstown
- Harpers Ferry
- Ranson
- Charles Town (Upcoming)



- Collaborating business retention and expansion efforts
- Meetings with electeds to understand needs
- Economic impact tools
- On-Trac and Main Street coordination

- Small business development
- Community development
- Agricultural business development and sustainability
- Government contracting
- Working with local governments- ie, redevelopment of downtowns
- Regulatory and legislative changes to improve the business environment

Regulatory and legislative changes

Letters

- Delayed electrification
- On-going supply chain constrictions
- MARC Santa Train
- Net metering

Legislative Priorities – 2024 WV Session

- Support for Child Care Construction Tax Incentives
- Support increased train ridership in WV
- Regulatory review to encourage agritourism and farmland protection
- Incentives to encourage residential renewable energy
- Clean water

Comprehensive Plan Recommendations

- Support for agritourism;
- Support for water and sewer deployment, planning, and modernization; and
- Support for the redevelopment of existing structures

Edwina Benites-LM

Executive Director

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Town of Shepherdstown

Jefferson County Development Authority



Overview



Population (2023) 1,471



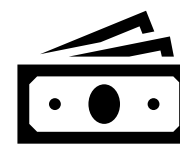
Households (2023) 570



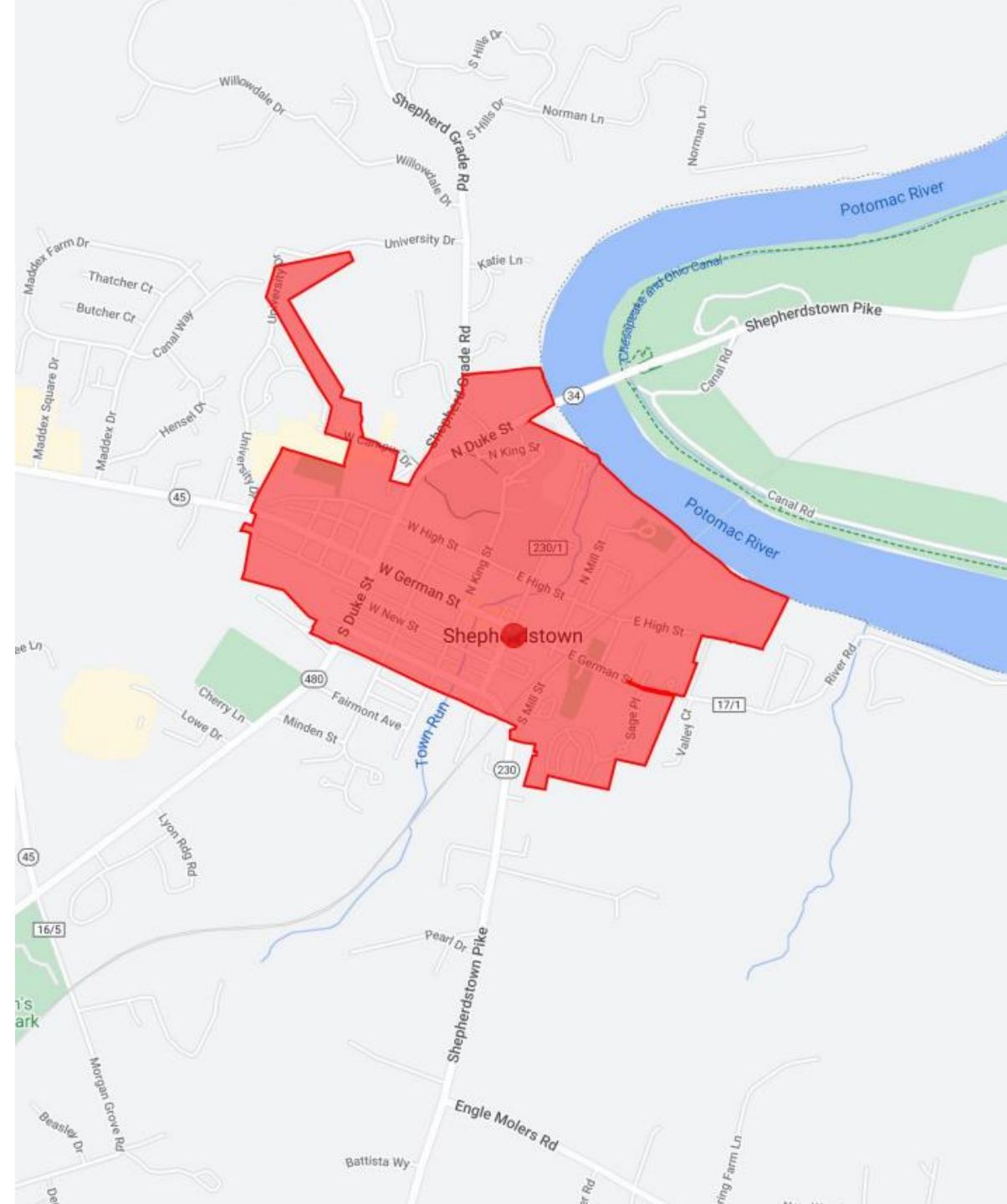
Median Age 28.8 years
(12.9 years younger than County average)



62 businesses

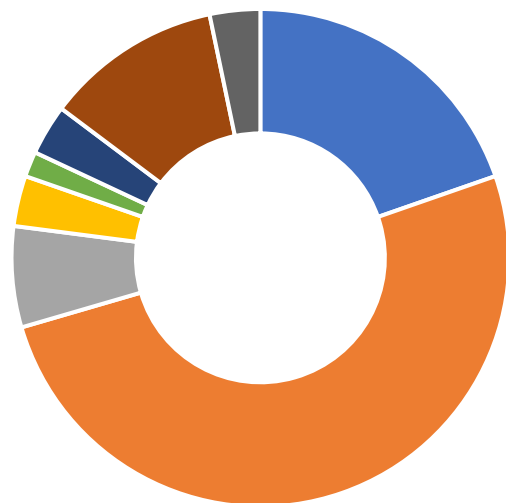


Median Household Income \$97,457
(\$8,086 less than County average)



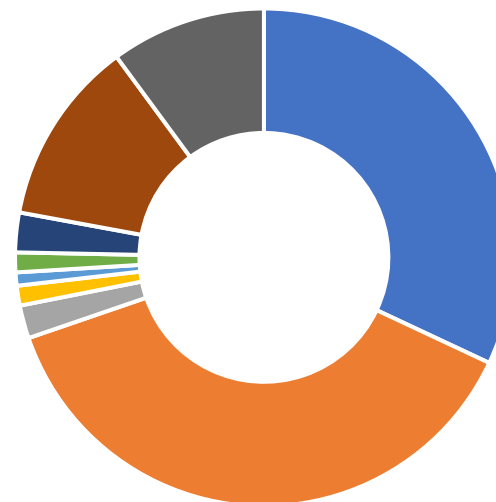
Business Detail

Business Industry



- Retail Trade
- Services
- Agriculture/Forestry/Fishing
- General Construction
- Manufacturing
- Transportation/Communications/Utilities
- Wholesale
- Finance/Insurance/Real Estate
- Government

Employees



- Retail Trade
- Services
- Agriculture/Forestry/Fishing
- General Construction
- Manufacturing
- Transportation/Communications/Utilities
- Wholesale
- Finance/Insurance/Real Estate
- Government

Age & Income



Median age of householder 55.5 years
(1.9 years older than County average)



Median household income \$97,457
(\$8,086 less than County average)

	Total	Under 25	25 to 34	35 to 44	45 to 54	55 to 64	65 to 74	75+
Number of households	570	31	62	83	90	120	108	75
Median household income	\$97,457	\$60,000	\$88,889	\$110,417	\$137,500	\$108,929	\$79,000	\$71,250

Housing

- Total Housing units (2023): 570
- Owner-occupied units (2023): 70.0% (71.5 % County)
- Renter-occupied units (2023): 21.9% (20.6 % County)
- Vacant housing: 8.1% (7.9% County)
- Median home value (2023): \$354,027 (\$69,680 more than County average)
- Median rent (2023): \$770 (\$44 less than County average)
- Size of household
 - 1 person 156
 - 2 person 207
 - 3 person 96
 - 4 person 65
 - 5 person 30
 - 6+ person 12

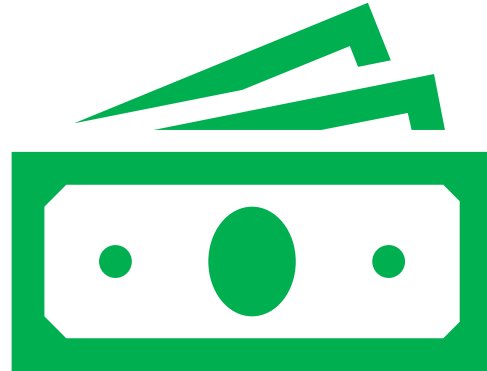
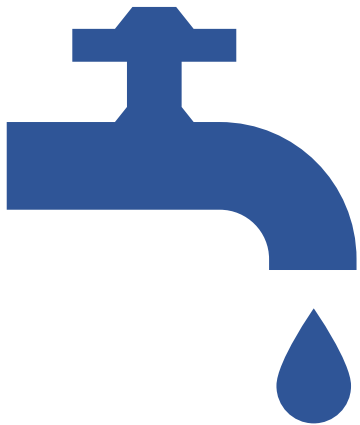
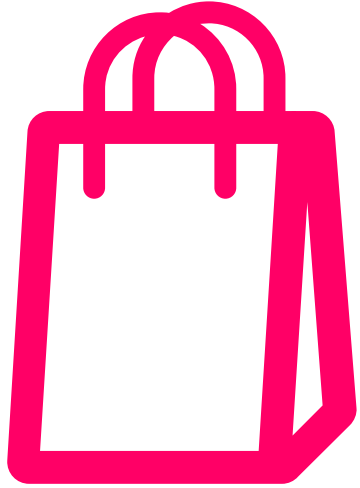




Labor Force

- Labor Force (16+): 1,315
- Civilian Employed: 58.7% (64.2% County)
- Civilian Unemployed: 2.6% (1.8% County)
- Not in Labor Force: 38.6% (33.9% County)
- Blue Collar: 41.9% (38.6% County)
- White Collar: 58.1% (61.4% County)

Consumer Expenditure



Total Expenditures

- **\$35,350,692**
- \$62,019 per household
- \$24,032 per capita

Non-Retail Expenditures

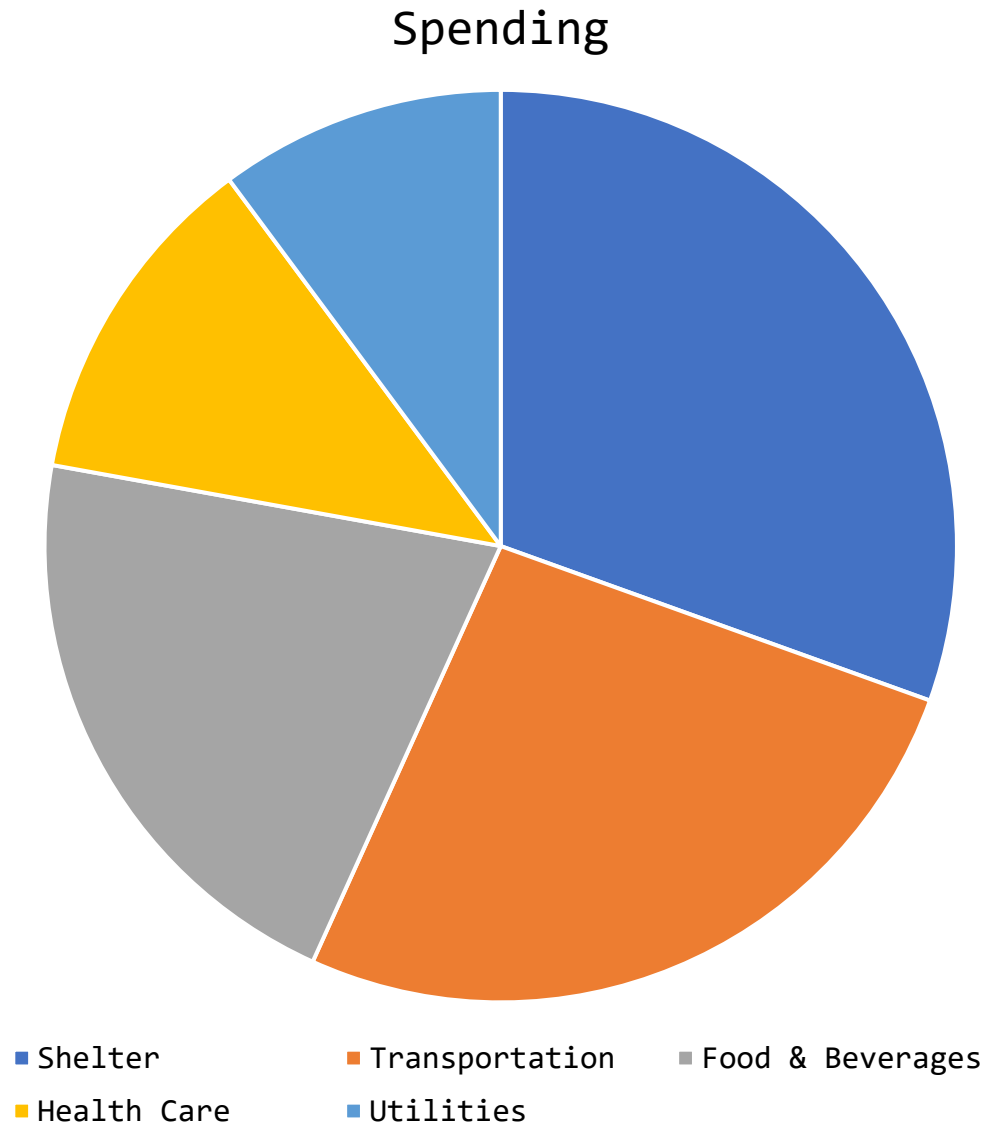
- **\$18,775,772**
- \$32,940 per household
- \$12,764 per capita

Retail Expenditures

- **\$16,574,922**
- \$29,079 per household
- \$11,268 per capita

Spending

- Shelter \$12,960
- Transportation \$11,160
- Food and Beverages \$8,959
- Health Care \$5,099
- Utilities \$4,315



Retail Potential

Motor Vehicle, Parts Dealers - **\$3.28 M**

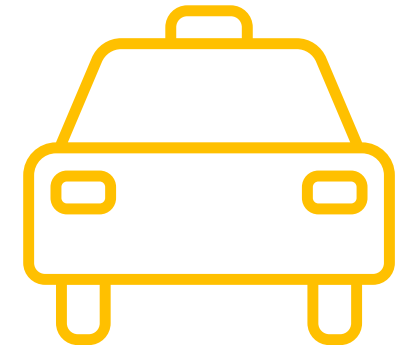
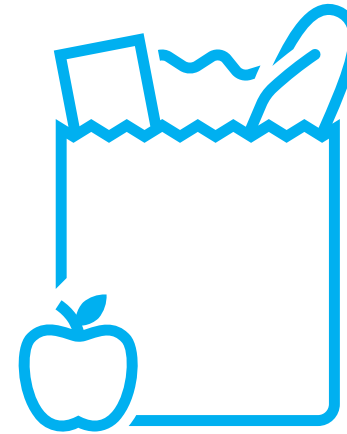
- New Car Dealers - \$2.51 M
- Used Car Dealers - \$259.36 K
- Auto Parts, Accessories - \$198.65 K

General Merchandise Stores - **\$2.36 M**

- Warehouse Superstores - \$1.5 M
- Department Stores - \$627.41 K
- Other General Merchandise Stores - \$232.02 K

Food, Beverage Stores - **\$2.35 M**

- Grocery Stores- \$2.09 M
- Liquor Stores - \$104.57 K
- Convenience Stores - \$80.41 K



Retail Gap

- Motor Vehicle, Parts Dealers (**83**)
 - New Car Dealers (**100**)
 - Used Car Dealers (**100**)
 - Auto Parts, Accessories (**100**)
- General Merchandise Stores (**96**)
 - Warehouse Superstores (**100**)
 - Department Stores (**100**)
 - Other General Merchandise Stores (**63**)
- Food, Beverage Stores (**-71**)
 - Grocery Stores (**-66**)
 - Liquor Stores (**-89**)
 - Convenience Stores (**-91**)

-Coming to trade area: saturated
+Leaving trade area: opportunity