

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

**Special Town Council Agenda
Tuesday, May 21, 2024
12:30 p.m.
Town Hall
104 North King Street**

1. Call to Order
2. State Budget Revision #1 – Discussion/Action
3. Playground Equipment Proposal – Discussion/Action
4. Shepherd University Donation Request– Discussion/Action
5. Written Response to Department of Energy re: National Interest Electric Transmission Corridors – Discussion/Action
6. Adjournment



Miracle Recreation Equip. Co.
878 E. US Hwy 60
Monett, MO 65708
1-888-458-2752

QUOTE: R0102240032

Project: R0102_45302476542_03

Prepared For:

Stephanie Grove
SHEPHERDSTOWN PARKS AND
RECERATION
104 North King Street
Shepherdstown, MD 25443
304-876-2312 (phone)

Project Name & Location:

Prepared by:

Metro Recreation Inc.

4907 Camden Place North
Jefferson, MD 21755 USA
240-409-2870 (phone)
mike@metrorecreation.com

Ship To Address:

Metro Recreation Inc.

Frederick , MD 21704

End User:

BANES HARRIS PARK
SHEPHERDSTOWN PARKS
AND RECERATION
104 North King Street
Shepherdstown, MD 25443
304-876-2312 (phone)

Quote Number: R0102240032
Quote Date: 4/30/2024
Valid For: 30 Days From Quote Date

PlayArea_1

Product line: KidsChoice
Age group: 5-12

Global defaults

Accent	YELLOW
Accent Climber	RED
Accent Enclosure	YELLOW
Cham -Canopy	RED
Cham -Exit	RED
Cham -Right Low Bank	RED
Cham -Start of Slide	RED
Clamp	YELLOW
Jumping Bean	CHARTREUSE
Leg	RED
Panel	BLUE-SAND-BLUE
Post	BLUE
PVC	BLUE
Rockite	RED
Rope Cable	BLUE
Slide Canopy	RED
Slide Rockite	BLUE
Swing Seat	BLUE

Swing Tot Seat	BLUE
Toprail	BLUE
Vinyl - Paint	
Vinyl - Single Color	Vinyl Blue

Components

Part Number	Description	Qty	Weight	Unit Price	Total
2840	SWG PART SLASH PROOF SEAT W/CHAIN (8' TR)	2	10.00	152.00	304.00
2990	SWG PART TOT SEAT 360 DEG W/CHAIN (8' TR)	1	15.00	223.00	223.00
7045019	TRIANGLE DECK (ATTACHES TO 3 POSTS) 3.5"	4	70.00	1,009.00	4,036.00
7045039	1/2 HEX FULL DECK (ATTACHES TO 4 POSTS) 3.5"	2	150.00	1,919.00	3,838.00
7045109	RECT OPEN (DECK ATTACHES TO 6 POSTS) 3.5"	1	200.00	2,723.00	2,723.00
7046384	GROOVE II SLIDE (4' DECK)	1	150.00	2,326.00	2,326.00
7046701	CHAMII ENTRY & EXIT (5' - 6'6" DK)	1	145.00	3,017.00	3,017.00
7046705	CHAMII RIGHT SECTION	2	25.00	714.00	1,428.00
7046933	HEX CLIMBER TO 3' DK	1	45.00	1,024.00	1,024.00
7046964	ATTIC CLIMBER	1	60.00	1,198.00	1,198.00
7047115	HORIZONTAL "L" TRY-RING (ONLY)	1	70.00	1,403.00	1,403.00
704731	TRAP DOOR CLIMBER (3' & 5' DK)	1	110.00	1,698.00	1,698.00
7048109	ADA STAIRS BETWEEN DECKS W/1' RISE	1	120.00	1,598.00	1,598.00
7048135	DECK ENCL FOR OVERHEAD CLIMBERS (ONLY)	1	35.00	669.00	669.00
7048155	END LADDER FOR OH CLIMBERS (ONLY)	1	30.00	655.00	655.00
704816	WALL ENCLOSURE	1	45.00	731.00	731.00
704845645	CARGO CLIMBER-OVER 4' WIDE, TOP RAIL 6'6" H	1	50.00	1,009.00	1,009.00
70485139	SQ TRSFR POINT, CL HR (3' DK)	1	225.00	3,808.00	3,808.00
70486726	TWISTED VINE CLIMBER (6'6" DK)	1	100.00	1,879.00	1,879.00
7049175	CURVED CABLE/ROPE CLIMBER (5' DK)	1	140.00	1,531.00	1,531.00
7049746	WIGGLY WORM CLIMBER (5' OR 6'6" DK)	1	150.00	1,865.00	1,865.00
7049922	LOOKOUT TOWER	1	50.00	1,351.00	1,351.00
714999Z	CUSTOMER SERVICE KIT (NO PRICE)	1	0.00	0.00	0.00
7185493	3 1/2" OD X 106" POST (3' DK)	1	35.00	214.00	214.00
7185494	3 1/2" OD X 118" POST (4' DK)	7	40.00	242.00	1,694.00
718552	3 1/2" OD X 130" POST (3' TO 5' DKS)	10	40.00	378.00	3,780.00
944	JUMPING BEAN	1	60.00	1,374.00	1,374.00
MR0930	3.5" ARCH SWING- (2 SEAT REQ'D)	1	286.00	2,659.00	2,659.00
MR0936	3.5" ARCH SWG- ADD-A-BAY (1 ST REQ'D)	1	154.00	1,497.00	1,497.00
MRLR300S	RECEPTACLE 32 GAL SLAT	1	175.00	679.00	679.00
MRPQDT0N	TRASH DOME TOP	1	12.00	151.00	151.00
MRPQL10N	TRASH CAN LINER	1	7.00	47.00	47.00
MRSGL176D	RECTANGLE TABLE CH 6â€™™ DIAMOND PORT	1	142.00	992.00	992.00

RiskSign_Included

Product line: Freestanding
Age group:

Global defaults

Post - FS

Components

Part Number	Description	Qty	Weight	Unit Price	Total
787Z	RISK MANAGEMENT SIGN - ENGLISH (NO PRICE)	1	0.00	0.00	0.00

Additional Items

Part Number	Description	Qty	Weight	Unit Price	Total
925961	THUMB DRIVE 2GB - MREC	1	0.00	0.00	0.00
INSTALL BOOK	INSTALL BOOK FOR PP ORDERS	1	0.00	0.00	0.00

Parts By Other

Part Number	Description	Qty	Weight	Unit Price	Total
4' PLASTIC BORDER	4'X12" PLASTIC BORDER	10	0.00	60.00	600.00
DEMOLITION AND DISPOSAL	REMOVE EXISTING PLAYGROUND EQUIPMENT AND SWING. EXISTING SPIRAL SLIDE WILL REMAIN AND EXISTING BORDERS WILL BE SAVED FOR RE-INSTALLATION IN EXPANDED AREA	1	0.00	3,000.00	3,000.00
EWF	Playground Safety Surfacing 100 CUBIC YARDS OF ENGINEERED WOOD FIBER DELVIERED AND INSTALLED	1	0.00	6,000.00	6,000.00

Totals:

Equipment Weight:	3,941.00 lbs
Equipment List:	\$51,401.00
Discount Amount:	-\$18,822.00
Equipment Price:	\$32,579.00
Freight:	\$2,347.00
Installation:	\$18,811.00
Products by Other:	\$9,600.00
SubTotal:	\$63,337.00
Estimated Sales Tax*:	\$0.00
Grand Total:	\$63,337.00

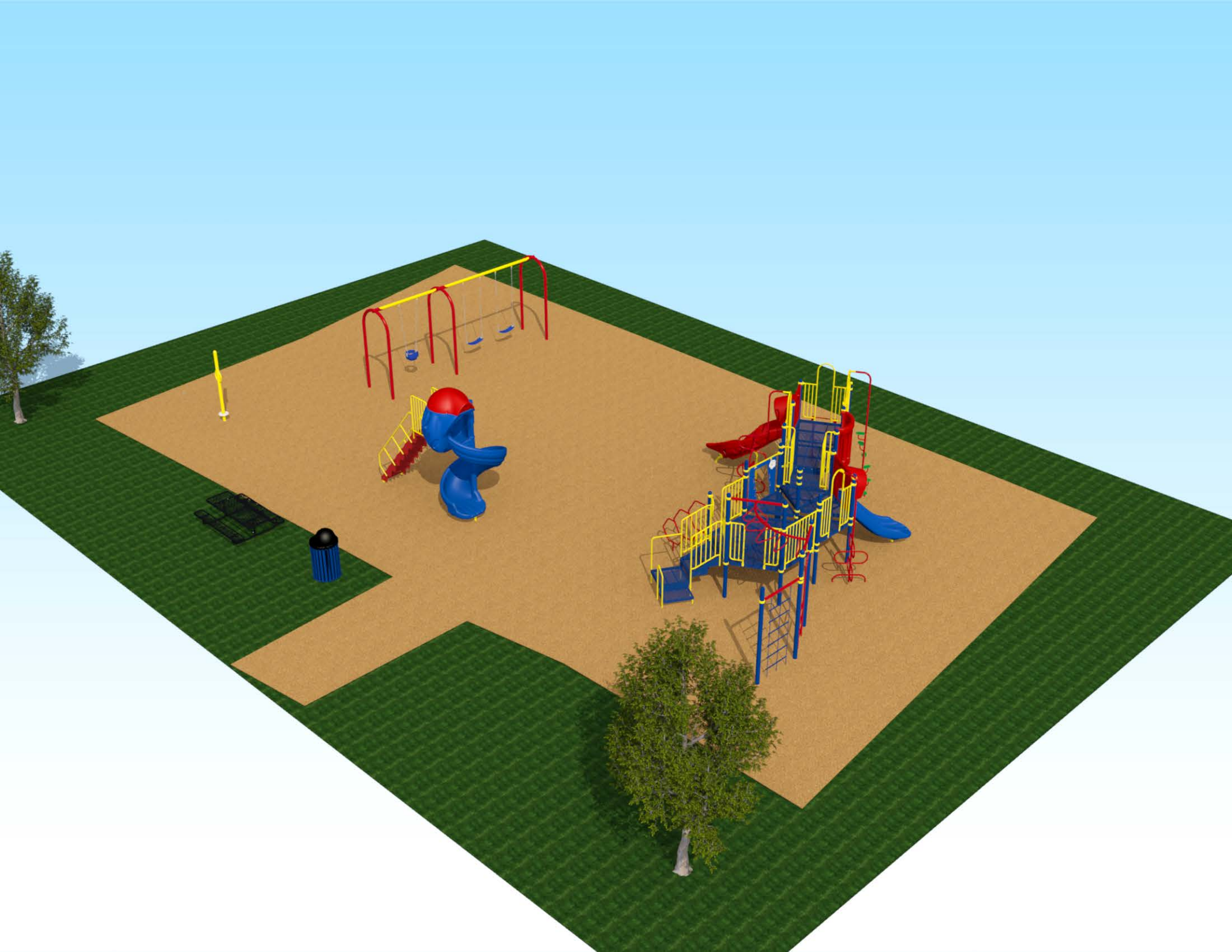
Notes:

This Quote shall not become a binding contract until signed and delivered by both Customer and Miracle Recreation Equipment Company ("Miracle"). Sales Representative is not authorized to sign this Quote on behalf of Miracle or Customer, and signed Quotes cannot be accepted from Sales Representative. To submit this offer, please sign below and forward a complete signed copy of this Quote directly to "Miracle Sales Administration" via fax (417) 235-3551 or email: orders@miraclerec.com. Upon acceptance, Miracle will return a fully-signed copy of the Quote to Customer (with copy to Sales Representative) via fax or email.

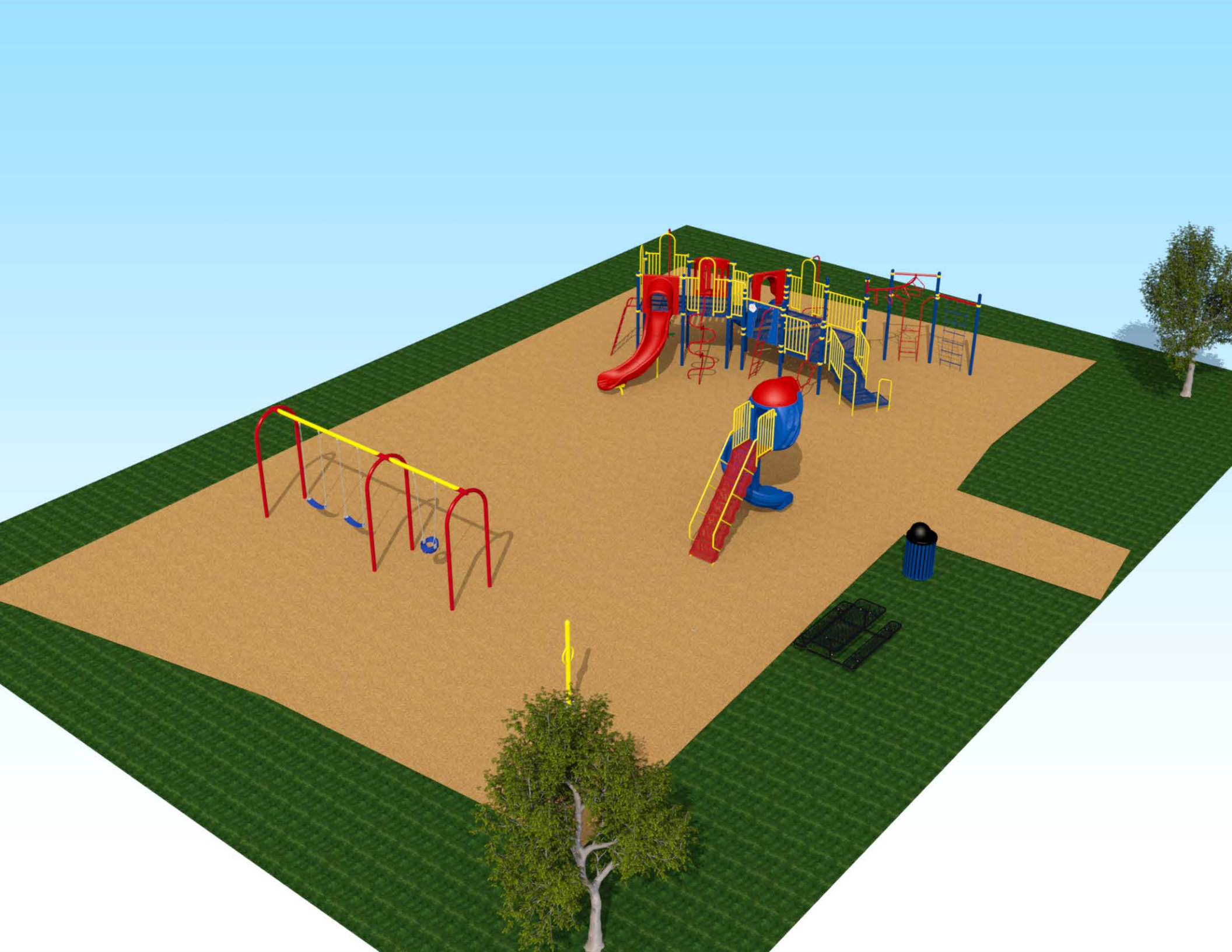
THIS QUOTE IS LIMITED TO AND GOVERNED BY THE TERMS CONTAINED HEREIN. Miracle objects to any other terms proposed by Customer, in writing or otherwise, as material alterations, and all such proposed terms shall be void. Customer authorizes Miracle to ship the Equipment and agrees to pay Miracle the total amount specified. Shipping terms are FOB the place of shipment via common carrier designated by Miracle. Payment terms are Net-30 days from invoice date with approved credit and all charges are due and payable in full at PO Box 734154, Dallas, TX 75373-4154, unless notified otherwise by Miracle in writing. Customer agrees to pay all additional service charges for past due invoices. Customer must provide proper tax exemption certificates to Miracle, and shall promptly pay and discharge all otherwise applicable taxes, license fees, levies and other impositions on the Equipment at its own expense. Purchase orders and payments should be made to the order of Miracle Recreation Equipment Company.

10. Counterparts; Electronic Transmission. This Quote, any invoice, and any other agreement between the parties, may be executed in counterparts, each of which shall constitute an original. The facsimile or other electronic transmission of any signed original document and retransmission of any signed facsimile or other electronic transmission shall be the same as the transmission of an original. At the request of either party, the parties will confirm facsimile or other electronically transmitted signatures by signing an original document.

Rev E 021815









From: Sonya Sholley <SSHOLLEY@shepherd.edu>
Sent: Monday, April 29, 2024 9:54 AM
To: Jim Auxer <jimauxer@yahoo.com>
Cc: Mary Hendrix <MHENDRIX@shepherd.edu>
Subject: Shepherd University Tables/Chairs Match Request

Mayor Auxer,

Attached is a slide deck regarding the new Polywood tables and chairs we purchased for the campus. Our facilities department has worked to put together several of these sets before transitioning to the Commencement setup and will finish the project after the May 4 ceremony.

At least three sets of tables/chairs will be set up on the side patio of the Scarborough Library for the campus and town to enjoy, the others will be set up across the grounds for students, employees, and the surrounding community to enjoy when on campus.

President Hendrix covered \$4,500.00 of the purchase price from the Shepherd University President's Club and we would kindly ask that the town join us in funding the additional \$4,436.40.

If the Finance Committee approves this request, your check should be made payable to Shepherd University, sent to the President's Office, and I will provide it to the Business Office for deposit into the correct account.

Thank you,

-Sonya

Sonya Sholley, MBA

Associate Vice President for Strategic Initiatives

and Presidential Operations

Shepherd University

211 Ikenberry Hall

P.O. Box 5000

301 N. King St.

Shepherdstown, WV 25443-5000

Office: 304.876.5107

Fax: 304.876.6007

Email: ssholley@shepherd.edu

Web: www.shepherd.edu



48" Round Farmhouse Dining Table

★★★★★ 176 Reviews 42 Questions 42 Answers 25 Customer Photos

Add a touch of the traditional to your outdoor dining space with the Round 48" Dining Table.

\$539.00

1. Select POLYWOOD Color: **Teak**

QUICK-SHIP COLORS - Ships within 5 - 7 Business Days

- SUNBLEND
\$499.00
- TEAK**
\$539.00
- HARDWOOD
\$539.00
- WHITE
\$569.00
- SAGE
\$569.00

BUILT-TO-ORDER COLORS - Ships within 8 - 12 Business Days

- GREEN
\$559.00

Overall Dimensions: 48" x 29" x 48" (WxHxD)

Item Weight	80 lbs
Width	48
Height	29
Depth	48

2. Shop Accessories (Optional)

Vineyard Dining Side Chair

★★★★★ 42 Reviews 9 Questions 19 Answers 9 Customer Photos

Crisp to taste. This dining side chair is for enjoying savory bites, appetizers, desserts, and drinks after dinner.

\$259.00

1. Select POLYWOOD Color: **Teak**

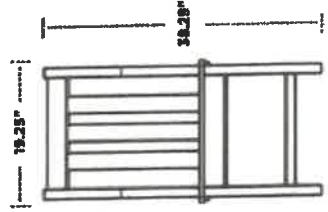
QUICK-SHIP COLORS - Ships within 5 - 7 Business Days

- SUNBLEND
\$239.00
- TEAK**
\$259.00
- HARDWOOD
\$259.00
- WHITE
\$269.00
- SAGE
\$269.00

BUILT-TO-ORDER COLORS - Ships within 8 - 12 Business Days

- GREEN
\$259.00

2. Shop Accessories (Optional)



539
259
259
259
259
1575

FINANCE



LA CASA CAFÉ 800.888.2222

La Casa Café 5-Piece Round Farmhouse Dining Set

★★★★★ 89 Reviews ● 26 Questions \ 28 Answers ● 20 Customer Photos

Beauty! your outdoor dining space with the La Casa Café 5-Piece Arm Chair Dining Set.

This set includes:

- 1 x 48" Round Farmhouse Dining Table (RT248)
- 4 x La Casa Café Dining Arm Chair (ID200)

\$1,549.00+

1. Select POLYWOOD Color

CLICK SHIP COLORS - Ships within 5 - 7 Business Days

SLATE GRAY	BLACK	TEAK	INDIGOVAN	WHITE	SLIP
\$1,549.00	\$1,549.00	\$1,695.00	\$1,695.00	\$1,795.00	\$1,795.00

BUILT-TO-ORDER COLORS - Ships within 8 - 12 Business Days

GREEN	SUNSET RED	TANGAPANG	ORANGE	NAVY
\$1,695.00	\$1,795.00	\$1,795.00	\$1,795.00	\$1,795.00

INDIVIDUAL ITEM DIMENSIONS

48" Round Farmhouse Dining Table	48" W x 29" H x 48" D
La Casa Café Dining Arm Chair	24.5" W x 34" H x 22" D

- Set includes (4) La Casa Café Dining Arm Chairs and (1) Round 48" Dining Table
- Chairs feature comfortably contoured seats and backs
- Table leg design allows for ample legroom; table outfitted with 1.625" center hole for standard umbrella (sold separately); hole cover included
- Built to withstand a range of climates including hot sun, snowy winters, and strong coastal winds
- Constructed of genuine POLYWOOD® lumber that's infinitely recyclable and sustainably made from recycled and reusable plastic
- 20-year residential warranty; 3-year commercial warranty
- Cleans easily with soap, water, and a soft-bristle brush
- UV protectant and color continuously throughout the HDPE material, requires no painting or waterproofing
- Marine-grade quality hardware
- Made in the USA
- Chairs ship fully assembled; assembly required for table

From: [Arthur Auxer III](#)
To: [Amy Boyd](#)
Subject: Fw: Another Land planning issue for. Jefferson Co
Date: Thursday, May 16, 2024 11:59:49 AM
Attachments: [image001.png](#)
[image002.png](#)

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

From: Christopher Stroech <cstroech@panhandle-legal.com>
To: Arthur Auxer <jimauxer@yahoo.com>
Sent: Tuesday, May 14, 2024 at 09:27:01 AM EDT
Subject: FW: Another Land planning issue for. Jefferson Co

We should consider sending a TC letter on this as well.



PANHANDLE LEGAL

Christopher P. Stroech, Esq.

WVSB #9387

116 W. Washington St, Suite 2E, P.O. Box 550

Charles Town, WV 25414

P. 304-930-1945 F. 304-930-1387

E. cstroech@panhandle-legal.com

W. panhandle-legal.com

THIS MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND FOR THE INTENDED RECIPIENT ONLY. IF THIS MESSAGE WAS SENT TO YOU IN ERROR, PLEASE CONTACT THE SENDER IMMEDIATELY.

DEBT COLLECTION NOTICE: THE PURPOSE OF THIS COMMUNICATION AND OTHERS FROM ME MAY BE TO COLLECT AN ALLEGED DEBT OWED, AND ANY INFORMATION OBTAINED IN RESPONSE MAY BE USED FOR THAT PURPOSE. WE WILL ASSUME THE DEBT TO BE VALID UNLESS YOU DISPUTE THE VALIDITY OF ALL OR ANY PART OF THE DEBT WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS NOTICE. IF YOU NOTIFY US IN WRITING THAT YOU DISPUTE ANY OR ALL OF THE DEBT, WE WILL OBTAIN AND SEND VERIFICATION OF THE DEBT AND PROVIDE YOU CONTACT INFORMATION FOR THE ORIGINAL CREDITOR, IF APPLICABLE.

From: Mike Godfrey <m.godfrey.d@gmail.com>

Date: Monday, May 13, 2024 at 9:12 PM

To: susan kemnitzer <skemnitzer@att.net>

Cc: John Bresland <johnsbresland@msn.com>, Christopher Stroeck <CStroeck@panhandle-legal.com>, Jim Ford Personal <jim@muirford.com>, Harvey Heyser <h.heyser3@hotmail.com>, Bob Keller <rockymarsh@gmail.com>, Jim Auxer <jauxer@shepherdstown.us>, Stephanie Grove <sgrove@shepherdstown.us>

Subject: Another Land planning issue for. Jefferson Co

Thanks Sue for the notice - that's one significant last minute change outta our Commissioners!

I attach heads up on another big deal coming our way. The DOE/FERC released on May 8 its new report on NIETCs - National Interest Electric Transmission Corridors.

You can go straight to page 18 of the report to see where two proposed corridors that cut through Jefferson Co have been identified. One appears to enlarge the existing corridor in the south of the county. A new corridor appears to enter the county near Srabble and exits over the river near Liesure Acres and NCTC; before tracking in southern Washington county then arcing a nice rainbow of 700 Kv lines over the Appalachian trail near Burkittsville. NIETCs have 2 mile right of way. They were drawn up by industry and government with no public input until now. May 8 opened a 45-day to collect written only submissions to the DOE; guidelines are in the report. There will be no public meetings and DOE will not provide any further info or educational guidance, nor respond to commentary. NIETCs may be moved in the final regs. BTW all that new power goes to Loudon Co, some to PA and Baltimore covering for closing coal plants on east coast to coal plants in WV and OH.

If you dive deeper into their docs you will see that NIETCs are not friendly to property owners. Enough probably said. If anyone wants to prepare a written response for Shepherdstown, please let me know.

Mike

<https://www.energy.gov/sites/default/files/2024-05/PreliminaryListPotentialNIETCsPublicRelease.pdf>

energy.gov



Oh