

TOWN OF BATH COUNCIL MEETING

Tuesday, August 7, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(A) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of July 17, 2018: Common Consent

PERSONS BEFORE COUNCIL: In Rev. Bergen's absence Councilman Weber reported on the meeting concerning the Trinity Asbury Methodist Church's request to use town property to enlarge a planned playground area. See attached report.

CORRESPONDENCE: Discussion was held concerning a letter received from a local Girl Scout Troop requesting the use of the Depot lot as a fund raiser at Apple Butter Festival. It was decided that the opportunity would be opened up to the community with written requests to be discussed at the next Finance meeting. Requests are to be received by August 20th. A letter from the Friends of Police regarding the Cops and Kids program was referred to the Finance Committee.

FOR THE GOOD OF THE ORDER: The Morgan County Expo will be August 25th & 26th.

COMMITTEE REPORTS

WATER WORKS: The next meeting will be Monday, September 10th at 4:30.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson introduced the new Town of Bath Police Officer, Jennifer McGuire. She was welcomed by Council.

CLERK / RECORDER: Town Clerk Corrick reported that she had a request to post town meeting agendas on the Town webpage and Facebook.

FINANCE: The next meeting of this Committee will be August 21st.

(A)Town of Bath Bills: \$12,904.36

Motion to Approve by: Swaim/Weber - Motion carried.

(B)Berkeley Springs Water Works Bills: \$9,246.06

Motion to Approve by: Swaim/Weber - Motion carried.

(C)Greenway Cemetery: 110.32

MOTION to Approve by: Swaim/Weber – Motion carried.

(D)Train Depot: \$157.37

MOTION to Approve by: Swaim/Jackson – Motion carried.
(E)North Berkeley R/T: \$3,840.38 This is for the required soil sampling.
MOTION to Approve by: Swaim/Weber – Motion carried.

PUBLIC WORKS: Chairman Weber referred to the Justice Department ADA compliance letter received and his desire to respond by August 20th. He discussed the Ewing Street paving and cost.

ORDINANCE: At the Mayor's request Chairman Webster consulted with the Town Attorney, Richard Gay, concerning the Landmark Commission's demolition ordinance. Webster reported that Mr. Gay's opinion had not changed from being favorable to the current permitting ordinance in progress and against ordinances requiring certificates of appropriateness.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: No report at this time.

TREE BOARD: Councilman Swaim reported on tree and vegetation maintenance projects on College, Hageman and Kent Streets. He discussed the Chesapeake Bay Communities grant.

CEMETERY: No report at this time.

PLANNING COMMISSION: No report at this time. Next meeting is September 6th.

STREETSCAPE: Larry Lower reported that the meeting with property owners, tenants and businesses involved in Phase IV will meet on August 8th.

PARKS & RECREATION: Nothing at this time.

TRAIN DEPOT: Chairman John McCracken met last Thursday with the Mills Group who is the engineer and architect for the Depot interior project.

RAIL/TRAIL: The draft risk assessment was received and questions are being developed in response. A public meeting will be planned for input on the Depot, lot and Rail/Trail uses.

LANDMARK COMMISSION: There will be a Special Meeting of the Historic Landmarks Commission August 21st at 4:30 for Shea Strait, WVU BAD Building Coordinator, to explain the program to Council. Letters will be going out to owners of potential BAD buildings.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Webb

Recorder Suzanne Weber

TOWN OF BATH COUNCIL MEETING

Tuesday, July 17, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of July5, 2018: Common Consent

PERSONS BEFORE COUNCIL: Rebecca MacLeod, President of the Town of Bath Planning Commission, spoke to Council about the organizations desire to review and amend the town's Comprehensive Plan.

MOTION: To authorize and support the Town of Bath Planning Commission to moving forward with a review and update of the Comprehensive Plan – Webster/Weber – Motion Carried.

COMMUNICATIONS FROM MAYOR: The Mayor apprized Council of the community support for the painted parking meters.

The organizers of the North Berkeley Block Party to be held on July 21st, requested the use of the Depot lot for parking the day of the event. Common Consent

FOR THE GOOD OF THE ORDER: Nothing at this time.

COMMITTEE REPORTS

WATER WORKS: The next meeting will be Monday, August 6th at 4:30.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reminded the public of seasonal concerns with crosswalks, youth on bikes, traffic and visitors to town.

CLERK / RECORDER: Nothing at this time.

FINANCE: The next meeting of this Committee will be August 21st.

(A)Town of Bath Bills: \$14,385.21

Motion to Approve by: Swaim/Weber - Motion carried.

(B)Berkeley Springs Water Works Bills: \$13,013.65

Motion to Approve by: Swaim/Weber - Motion carried.

(C)Tree Board: \$800.00

MOTION to Approve by: Swaim/Weber – Motion carried.

The Finance Committee is working out details for the end of the year reporting. Annexation was discussed as a means to increase revenue. A committee was formed to explore this issue. Serving on the committee are Andy Swaim, Rick Weber, Chris Chapman and Mayor Merki.

PUBLIC WORKS: Seasonal maintenance is being conducted along with bollard installation.

ORDINANCE: The Mayor requested that the Chairman discuss demolition permitting again with the Town Attorney, Richard Gay.

BATH DEVELOPMENT AUTHORITY: Next meeting is August 8th at 4:30.

GRANT: No report at this time.

TREE BOARD: Councilman Swaim reported on tree trimming on Wilkes and other problem areas.

CEMETERY: Seasonal maintenance is being performed and an additional employee hired.

PLANNING COMMISSION: Nothing further at this time.

STREETSCAPE: Larry Lower spoke on the continuing work with Thrasher Engineering on Phase IV of the Streetscape project. Next meeting is July 19th.

PARKS & RECREATION: Nothing at this time.

TRAIN DEPOT: Nothing at this time.

RAIL/TRAIL: The next meeting July 24th with review of the master plan for the Depot lot and environmental assessments.

LANDMARK COMMISSION: The next meeting is July 23rd at 4pm at Town Hall.

PERSONS BEFORE COUNCIL: Reverend Bergen requested permission to install a playground area at Trinity Asbury Methodist Church. The area is adjacent to Wilkes Street and would entail using town property. Public Works Chairman Weber will look into this and report at next meeting.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder S. Webster

TOWN OF BATH COUNCIL MEETING

Thursday, July 5, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(A) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of June 19, 2018: Common Consent

PERSONS BEFORE COUNCIL: None at this time.

COMMUNICATIONS FROM MAYOR: The Mayor apprized Council of the success of the Chesapeake Bay Trust Award Ceremony that was held in the Berkeley Springs State Park on June 28th. The Town of Bath along with other communities were awarded grants for their Streetscape Projects.

The block Paw-ty was held on June 30th on Independence Street with all going well in spite of very hot weather.

FOR THE GOOD OF THE ORDER: Nothing at this time.

COMMITTEE REPORTS

WATER WORKS: Executive Director of Region 9 Planning and Development Council Bill Clark presented the Mayor and Council with a resolution for the Community Development Block Grant application for Phase IV of the BSWW Water Line Replacement Project.

MOTION: To approve the Resolution for the Community Block Grant application and authorizing the submission of the application – Chapman/Jackson – Motion carried.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER: Town Clerk Sharron Corrick informed Council that the Morgan Messenger had requested to be emailed future meeting agendas.

FINANCE: The next meeting of this Committee will be July 17, 2018.

(A)Town of Bath Bills: \$927.46

Motion to Approve by: Swaim/Weber - Motion carried.

(B) Berkeley Springs Water Works Bills: \$7,193.08

Motion to Approve by: Swaim/Weber - Motion carried.

(C) Greenway Cemetery: \$235.13

MOTION to Approve by: Swaim/Weber - Motion carried.

PUBLIC WORKS: Seasonal maintenance is being conducted along with equipment repair.

ORDINANCE: Next meeting will be July 11, 2018.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: No report at this time.

TREE BOARD: Councilman Swaim offered advisement if necessary on tree cutting on the north end of Wilkes Street.

CEMETERY: No report at this time.

PLANNING COMMISSION: Next meeting is July 12th to discuss comp plan review.

STREETSCAPE: Larry Lower spoke on the continuing work with Thrasher Engineering on Phase IV of the Streetscape project.

PARKS & RECREATION: The Warm Springs Watershed Association planted trees at the N. Berkeley Park which is owned by Morgan County Parks and Rec.

TRAIN DEPOT: The Notice to Proceed has been received on the next phase of the Depot rehabilitation project.

RAIL/TRAIL: The next meeting July 24th with review of the master plan for the Depot lot.

LANDMARK COMMISSION: The next meeting is July 23rd at 4pm at Town Hall.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor *Scott E. Meek*
Recorder *J. Webster*

TOWN OF BATH COUNCIL MEETING

Tuesday, June 19, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (A) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of June 5, 2018: Common Consent
Review of Special meeting of June 11, 2018: Common consent

PERSONS BEFORE COUNCIL: None at this time.

COMMUNICATIONS FROM MAYOR: The Mayor briefed Council on the Small Cities Block Grant hearing concerning Phase IV of the Berkeley Springs Water Works Water Line Improvement Project that was held on June 13, 2018.

The Mayor informed Council of a meeting held with the WV Secretary of Transportation and our State representatives having to do with ADA compliance in Bath and the Rt. 522 bypass project.

The Mayor requested that Council move the next regular meeting of Council from Tuesday, July 3rd to Thursday July 5th 2018.

MOTION: To approve the above mentioned request – Webster/Skinner – Carried.

FOR THE GOOD OF THE ORDER: The Mayor reported on a meeting held with town businesses, State and local representatives after the recent flooding. The newly installed Streetscape drainage systems worked well. Suggestions and concerns were noted.

COMMITTEE REPORTS

WATER WORKS: The next meeting of this Committee will be Monday, July 2nd.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reported that Homeland Security has donated light bars for our police vehicles. Business license applications have been sent.

CLERK / RECORDER: No report at this time.

FINANCE: The next meeting of this Committee will be July 17, 2018.

(A)Town of Bath Bills: \$10,529.88

Motion to Approve by: Swaim/Weber - Motion carried.

(B) Berkeley Springs Water Works Bills: \$40,501.77

Motion to Approve by: Swaim/Weber - Motion carried.

(C) Greenway Cemetery: \$135.35

MOTION to Approve by: Swaim/Weber - Motion carried.

(D) Tree Board: \$156.00

MOTION to Approve by: Swaim/Weber - Motion carried.

PUBLIC WORKS: Regular seasonal maintenance is being conducted.

ORDINANCE: No report at this time.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner clarified the application process of grants of this Committee.

TREE BOARD: Councilman Swaim briefed Council on activities of this Board including tree trimming and mulching dates.

CEMETERY: Chairman Skinner apprised Council of recent hires and work at Greenway.

PLANNING COMMISSION: The Commission met on June 14th and President MacLeod will attend the next Council meeting to relay Bath Comp Plan update progress.

STREETSCAPE: Larry Lower reported on the EPA grant award ceremony to be held on June 28th at 1PM. Bath has been awarded \$42,000 for drainage issues for Phase IV Streetscape Project.

PARKS & RECREATION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: Chairman John McCracken has communicated that he has a verbal permission to proceed with the interior improvement of the Berkeley Depot.

RAIL/TRAIL: The water sample is received and remediation plan is in progress.

LANDMARK COMMISSION: No report at this time.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Webb

Recorder Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, June 5, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)
Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of May 15, 2018: Common Consent

PERSONS BEFORE COUNCIL: Martha Rhodes, member of the Morgan County Fair Committee, requested that vendors, volunteers and attendees of the Morgan County Fair be allowed to park in the lot behind the Depot during the fair dates of August 24-26, 2018.

MOTION: To allow the Depot lot to be used for parking by the Morgan County Fair Committee during fair dates of August 24-26 – Webster/Chapman – motion carried.

COMMUNICATIONS FROM MAYOR: The Mayor reported on the recent flood in Bath and expressed appreciation for the assistance that the town received from the MC Sheriff Department, the Berkeley Springs Volunteer Fire Department, Town employees and others. He apprised Council of a meeting to be held on Wednesday, June 6, 2018 for residents, business and property owners with concerns or seeking assistance from local, state or federal representatives.

Appreciation was expressed for help received from Town employees and volunteers who worked in Greenway Cemetery to get the cemetery in proper condition for Memorial Day Weekend.

A request for the closure of Independence Street between Washington Street and Wilkes Street on June 30, 2018 was made. This is for a block Paw-ty to be held from 12PM until 7PM.

MOTION: To approve the closure of Independence Street for the above mention event on June 30 – Chapman/Jackson – motion carried.

FOR THE GOOD OF THE ORDER: Lori Hansroth, Executive Director of the Chamber of Commerce, requested that the Town permit the parking meters to be decorated during the Christmas season. Undecorated meters would have the regular meter charges.

MOTION: To approve the decoration of parking meters for Christmas from November 26, 2018 through January 4, 2019. Anyone wishing to decorate a meter must have it done by December 1, 2018 – Jackson/Weber – motion passed

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman requested that the hearing on the application for the SCBG for the BSWW Phase IV Water Line Improvement be held on Wednesday, June 13, 2018 in Town Hall. Senator Trump has endorsed the project.

MOTION: To conduct a Public Hearing on Phase IV Water Line Improvement Project application be held on June 13, 2018 at 3PM in Town Hall – Chapman/Skinner – motion carried.

Chairman Chapman expressed gratitude to the employees of the BSWW for their dedicated efforts during the recent flood. At no point was the water turbidity out of compliance.

The next meeting of the Water Committee will be Monday, July 1st.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reported on the recent flooding and commented on the bad conditions experienced in southern and western Morgan County.

CLERK / RECORDER: No report at this time.

FINANCE: Chairman Swaim reported that the Finance Committee is seeking ways to increase revenue and cost savings.

(A)Town of Bath Bills: \$3,157.07

Motion to Approve by: Swaim/Weber - Motion carried.

(B)Berkeley Springs Water Works Bills: \$8,367.91

Motion to Approve by: Swaim/Weber - Motion carried.

(C)Greenway Cemetery: \$2,020.86

Discussion was held on holding the mowing bill of \$1,824.00 for clarification.

MOTION to Approve \$197.36 of presented Cemetery bills by: Swaim/Weber – Motion carried.

(D)Tree Board: \$33.00

MOTION to Approve by: Swaim/Skinner – Motion carried.

(E)Rails/Trails \$4,477.26

MOTION to approve and pay as funds become available by: Webster/Weber – Motion carried.

MOTION To immediately pay \$3,300.00 of the presented Rail/Trail bill from the Rail/Trial account by: Swaim/Skinner – Motion carried.

PUBLIC WORKS: Chairman Weber reported that the bollards have been ordered for the Town Hall parking lot.

ORDINANCE: The next meeting will be June 13th at 4: PM.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner reported that the committee is moving forward on cemetery and recycling grant research. A grant for a litter control officer is contemplated for next year.

TREE BOARD: Councilman Swaim reported on a planned Town clean up on June 11th.

CEMETERY: Chairman Skinner reported on the May 29th celebration in Greenway Cemetery for the Rain Garden Project which was well attended. The committee is discussing a columbarium project. Kate Lemman discussed a new NFWF grant application.

PLANNING COMMISSION: No report at this time.

STREETSCAPE: Larry Lower reported that the last Streetscape project drainage improvements worked successfully during the recent flooding. More drainage improvements are planned in Phase IV as are ADA improvements.

PARKS & RECREATION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: The Mayor reported that we are waiting for permission to proceed with the interior improvements to the Depot.

RAIL/TRAIL: The Committee is waiting for water sample report.

LANDMARK COMMISSION: The BAD Buildings participants have met. The next step is to send letters to owners of buildings.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Meek

Recorder [Signature]

TOWN OF BATH COUNCIL MEETING

Tuesday, June 19, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (A) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of June 5, 2018: Common Consent

Review of Special meeting of June 11, 2018: Common consent

PERSONS BEFORE COUNCIL: None at this time.

COMMUNICATIONS FROM MAYOR: The Mayor briefed Council on the Small Cities Block Grant hearing concerning Phase IV of the Berkeley Springs Water Works Water Line Improvement Project that was held on June 13, 2018.

The Mayor informed Council of a meeting held with the WV Secretary of Transportation and our State representatives having to do with ADA compliance in Bath and the Rt. 522 bypass project.

The Mayor requested that Council move the next regular meeting of Council from Tuesday, July 3rd to Thursday July 5th 2018.

MOTION: To approve the above mentioned request – Webster/Skinner – Carried.

FOR THE GOOD OF THE ORDER: The Mayor reported on a meeting held with town businesses, State and local representatives after the recent flooding. The newly installed Streetscape drainage systems worked well. Suggestions and concerns were noted.

COMMITTEE REPORTS

WATER WORKS: The next meeting of this Committee will be Monday, July 2nd.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reported that Homeland Security has donated light bars for our police vehicles. Business license applications have been sent.

CLERK / RECORDER: No report at this time.

FINANCE: The next meeting of this Committee will be July 17, 2018.

(A)Town of Bath Bills: \$10,529.88

Motion to Approve by: Swaim/Weber - Motion carried.

(B) Berkeley Springs Water Works Bills: \$40,501.77

Motion to Approve by: Swaim/Weber - Motion carried.

(C) Greenway Cemetery: \$135.35

MOTION to Approve by: Swaim/Weber – Motion carried.

(D) Tree Board: \$156.00

MOTION to Approve by: Swaim/Weber – Motion carried.

PUBLIC WORKS: Regular seasonal maintenance is being conducted.

ORDINANCE: No report at this time.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner clarified the application process of grants of this Committee.

TREE BOARD: Councilman Swaim briefed Council on activities of this Board including tree trimming and mulching dates .

CEMETERY: Chairman Skinner apprised Council of recent hires and work at Greenway.

PLANNING COMMISSION: The Commission met on June 14th and President MacLeod will attend the next Council meeting to relay Bath Comp Plan update progress.

STREETSCAPE: Larry Lower reported on the EPA grant award ceremony to be held on June 28th at 1PM. Bath has been awarded \$42,000 for drainage issues for Phase IV Streetscape Project.

PARKS & RECREATION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: Chairman John McCracken has communicated that he has a verbal permission to proceed with the interior improvement of the Berkeley Depot.

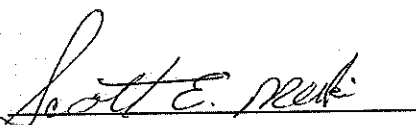
RAIL/TRAIL: The water sample is received and remediation plan is in progress.

LANDMARK COMMISSION: No report at this time.

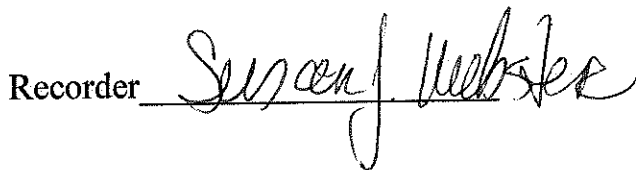
MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor



Recorder



**TOWN OF BATH SPECIAL COUNCIL
MEETING
FRIDAY, JUNE 8, 2018**

CALL TO ORDER: @ 9:45AM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (A) Rose Jackson (X)
Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (A)

QUORUM PRESENT: Yes

REVIEW & DECISION ON INVOICE FROM 'NO MOW WORRIES LAWN CARE' FOR WORK AT GREENWAY CEMETERY

Discussion was held concerning the invoice received from No Mow Worries Lawn Care. There was consensus that there was a misunderstanding of the verbal agreement with the company and that the invoice presented did reflect work performed.

MOTION: To approve payment to No Mow Worries Lawn Care from the Greenway Cemetery account in the amount of \$1,824.00 – Skinner/Swaim – motion carried.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder S. Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, June 5, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of May 15, 2018: Common Consent

PERSONS BEFORE COUNCIL: Martha Rhodes, member of the Morgan County Fair Committee, requested that vendors, volunteers and attendees of the Morgan County Fair be allowed to park in the lot behind the Depot during the fair dates of August 24-26, 2018.

MOTION: To allow the Depot lot to be used for parking by the Morgan County Fair Committee during fair dates of August 24-26 – Webster/Chapman – motion carried.

COMMUNICATIONS FROM MAYOR: The Mayor reported on the recent flood in Bath and expressed appreciation for the assistance that the town received from the MC Sheriff Department, the Berkeley Springs Volunteer Fire Department, Town employees and others. He apprised Council of a meeting to be held on Wednesday, June 6, 2018 for residents, business and property owners with concerns or seeking assistance from local, state or federal representatives.

Appreciation was expressed for help received from Town employees and volunteers who worked in Greenway Cemetery to get the cemetery in proper condition for Memorial Day Weekend.

A request for the closure of Independence Street between Washington Street and Wilkes Street on June 30, 2018 was made. This is for a block Paw-ty to be held from 12PM until 7PM.

MOTION: To approve the closure of Independence Street for the above mention event on June 30 – Chapman/Jackson – motion carried.

FOR THE GOOD OF THE ORDER: Lori Hansroth, Executive Director of the Chamber of Commerce, requested that the Town permit the parking meters to be decorated during the Christmas season. Undecorated meters would have the regular meter charges.

MOTION: To approve the decoration of parking meters for Christmas from November 26, 2018 through January 4, 2019. Anyone wishing to decorate a meter must have it done by December 1, 2018 – Jackson/Weber – motion passed.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman requested that the hearing on the application for the SCBG for the BSWW Phase IV Water Line Improvement be held on Wednesday, June 13, 2018 in Town Hall. Senator Trump has endorsed the project.

MOTION: To conduct a Public Hearing on Phase IV Water Line Improvement Project application be held on June 13, 2018 at 3PM in Town Hall – Chapman/Skinner – motion carried.

Chairman Chapman expressed gratitude to the employees of the BSWW for their dedicated efforts during the recent flood. At no point was the water turbidity out of compliance.

The next meeting of the Water Committee will be Monday, July 1st.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reported on the recent flooding and commented on the bad conditions experienced in southern and western Morgan County.

CLERK / RECORDER: No report at this time.

FINANCE: Chairman Swaim reported that the Finance Committee is seeking ways to increase revenue and cost savings.

(A)Town of Bath Bills: \$3,157.07

Motion to Approve by: Swaim/Weber - Motion carried.

(B)Berkeley Springs Water Works Bills: \$8,367.91

Motion to Approve by: Swaim/Weber - Motion carried.

(C)Greenway Cemetery: \$2,020.86

Discussion was held on holding the mowing bill of \$1,824.00 for clarification.

MOTION to Approve \$197.36 of presented Cemetery bills by: Swaim/Weber – Motion carried.

(D)Tree Board: \$33.00

MOTION to Approve by: Swaim/Skinner – Motion carried.

(E)Rails/Trails \$4,477.26

MOTION to approve and pay as funds become available by: Webster/Weber – Motion carried.

MOTION To immediately pay \$3,300.00 of the presented Rail/Trail bill from the Rail/Trial account by: Swaim/Skinner – Motion carried.

PUBLIC WORKS: Chairman Weber reported that the bollards have been ordered for the Town Hall parking lot.

ORDINANCE: The next meeting will be June 13th at 4:PM.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner reported that the committee is moving forward on cemetery and recycling grant research. A grant for a litter control officer is contemplated for next year.

TREE BOARD: Councilman Swaim reported on a planned Town clean up on June 11th.

CEMETERY: Chairman Skinner reported on the May 29th celebration in Greenway Cemetery for the Rain Garden Project which was well attended. The committee is discussing a columbarium project. Kate Lemman discussed a new NFWF grant application.

PLANNING COMMISSION: No report at this time.

STREETSCAPE: Larry Lower reported that the last Streetscape project drainage improvements worked successfully during the recent flooding. More drainage improvements are planned in Phase IV as are ADA improvements.

PARKS & RECREATION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: The Mayor reported that we are waiting for permission to proceed with the interior improvements to the Depot.

RAIL/TRAIL: The Committee is waiting for water sample report.

LANDMARK COMMISSION: The BAD Buildings participants have met. The next step is to send letters to owners of buildings.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Melick

Recorder Webster

TOWN OF BATH SPECIAL COUNCIL MEETING
FRIDAY, JUNE 8, 2018

CALL TO ORDER: @ 9:45AM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (A) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (A)

QUORUM PRESENT: Yes

REVIEW & DECISION ON INVOICE FROM 'NO MOW WORRIES LAWN CARE' FOR WORK AT GREENWAY CEMETERY

Discussion was held concerning the invoice received from No Mow Worries Lawn Care. There was consensus that there was a misunderstanding of the verbal agreement with the company and that the invoice presented did reflect work performed.

MOTION: To approve payment to No Mow Worries Lawn Care from the Greenway Cemetery account in the amount of \$1,824.00 – Skinner/Swaim – motion carried.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, May 15, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of May 1, 2018: Approved with correction in the Water Works report by common consent. Chairman Chapman presented for first reading the Water Leak Adjustment Policy amendment which passed unanimously.

PERSONS BEFORE COUNCIL: President of the Town of Bath Planning Commission Rebecca MacLeod reported on the success of the "Let's Be Neighbors" project that was held on Wilkes Street on May 12th. She thanked all volunteers.

COMMUNICATIONS FROM MAYOR: The Mayor presented an invitation from the Warm Springs Watershed Association & Greenway Cemetery Corporation for the Celebration on May 29, 2018 at 1:00PM. National Fish and Wildlife official will attend.

FOR THE GOOD OF THE ORDER: Council expressed concern that the dates requested by the Berkeley Springs Volunteer Fire Department for boot drives were communicated as weekends rather than days. Mayor Merki offered to get clarification on days and times from the BSVFD.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman presented for second reading the Berkeley Springs Water Works Leak Adjustment Policy amendment.

MOTION: To approve the Town of Bath Water Leak Adjustment Policy – Chapman/Skinner – Motion passed.

Chairman Chapman reported that the BSWW server needs replaced and the Committee will research companies that can accommodate the billing and accounting requirements. The next committee meeting is June 4th at 4:30PM.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER: The Chief reported on the success of the Plant Fair held on May 12th.

in the Berkeley Springs State Park. He expressed concern over drivers who don't stop for pedestrians in cross walks.

FINANCE: Chairman Swaim reported that the Finance Committee is seeking ways to increase revenue and cost savings.

(A) Town of Bath Bills: \$11,897.18

Motion to Approve by: Swaim/Weber - Motion carried.

(B) Berkeley Springs Water Works Bills: \$9,444.39

Motion to Approve by: Swaim/Weber - Motion carried.

(C) Greenway Cemetery \$156.75

Motion to Approve by: Swaim/Weber - Motion carried.

(D) Hotel/Motel Tax Dispersment (3rd Qtr) \$10,402.97

MOTION to Approve by: Swaim/Weber - Motion carried.

PUBLIC WORKS: Chairman Weber reported the repairs to Town Hall were complete and that bollards will soon be installed.

ORDINANCE: Chairman Webster on the progress of the building permit ordinance. The next meeting will be June 13th at 4:PM.

BATH DEVELOPMENT AUTHORITY: BDA is sending a letter to the WV DOH over concerns about the entrances to the proposed bypass.

GRANT: Chairman Skinner reported on applications on three recycling grants.

TREE BOARD: Councilman Swaim reported on a planned Town clean up on June 11th.

CEMETERY: Chairman Skinner reported on the May 29th celebration in Greenway Cemetery.

PLANNING COMMISSION: President MacLeod reported on Commission goals and projects.

STREETSCAPE: Larry Lower reported on Phase IV planning.

PARKS & RECREATION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: No report at this time.

RAIL/TRAIL: The Committee is waiting for water sample report.

LANDMARK COMMISSION: No report at this time.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Melby

Recorder Erubsten

TOWN OF BATH CITIZEN PARTICIPATION PLAN

PURPOSE:

This Citizen Participation Plan is designed for the purpose of actively involving community residents, especially low and moderate income persons, members of minority groups, residents of blighted areas, and residents of proposed program impact areas in the SCBG program process.

SCOPE OF CITIZEN PARTICIPATION

The Town of BATH feels citizen participation can be an influential non-governmental factor on the development and direction of the SCBG program. Therefore, citizens will be provided an opportunity to participate in the

- determination of priorities
- development of community development strategies;
- amendment to the community development program;
- planning, implementation and assessment of the SCBG program

In order that citizens of BATH may fully participate in the development of the SCBG programs, the Town of BATH will

- A. Schedule public meetings to obtain citizens views and respond to citizens proposals prior to
 1. Identification of community development and housing needs (including the needs of low and moderate income persons)
 2. Preparation of SCBG pre-application,
 3. submission of the full application
 4. budget revisions, and
 5. amendment to community development program
- B. Schedule public meetings at times and locations which permit participation
- C. Provide appropriate accessible notice of public meetings at least five (5) days prior to meeting. The Town of BATH will use block advertisements to assure that the notice will contain required language and be presented in a conspicuous manner so as to promote public. Additionally, the Town of BATH will post the notice in the Town Hall and will request that other public agencies within the community also post the notice in a conspicuous manner. The Town of BATH will encourage the local news media to carry general news articles.

- D. Solicit and respond to citizens' view and proposals
- E. Provide full public access to program information and affirmative efforts to get adequate information to citizens. At a minimum the following will be provided:
 - 1. At the pre-application stage information provided to the public will include: The total amount of funds that may be applied for by the applicant from the SCBG program; the process to be followed in soliciting and responding to the view of the public in a timely manner; and a summary of other important program requirements.
 - 2. At the application stage the Town of BATH will review the proposed SCBG application. Detail will be provided on activities to be undertaken, expected program impact, and estimated cost.
 - 3. Once the SCBG program has been approved for funding the Town of BATH will seek public participation when proposing amendments to the SCBG program, and when assessing program success, the Town of BATH will hold at least one public meeting during the final performance report and may seek additional public input at the planning and implementation stages if the town of BATH deems it appropriate.
- F. Make available (during public hearings/through newspaper publications) program requirements
- G. Comments on the proposed application and responses thereto will be included in the final application
- H. Submit a certificate of assurances with the application assuring that all appropriate requirements have been met

These measures have the potential for promoting local government accountability to its citizens. Community involvement, however, shall not be construed to restrict the responsibility or authority of the Town of BATH for the development of the application and execution of its SCBG program.

TECHNICAL ASSISTANCE

The Town of BATH will provide technical assistance to groups' representative of persons of low and moderate income that request such assistance. Technical will be provided with the purpose of increasing understanding of the SCBG program, identifying needs of the community and low and moderate income persons, suggesting alternative programs to meet community needs, and assessing the impact of proposed and actual SCBG activities. Assistance when requested will specially include preparation of informational handouts and arranging for briefings on SCBG program requirements, application procedures, and administrative rules and regulations. Additionally, the Town of BATH will refer groups to agencies which may provide additional in depth assistance and may request that the Region 9 Planning and Development Council provide additional assistance.

COMPLAINT AND GRIEVANCE PROCEDURE

The Town of BATH encourages public participation and invites citizens to submit comments and complaints on all aspect of program performance through the program period. Complaints of the public will be addressed as follows:

- A. Any person with a complaint about the Town of BATH SCBG program or who believes that he/she has been discriminated against by reason or race, color, religion, sex, age, national origin, or handicap or otherwise unjustly treated in connection with any Small Cities Block Grant (SCBG) action taken by or under the authority of the Town of BATH and communicated this belief to the Mayor of the Town of BATH, shall be advised of his or her right to seed advice and conciliation through the Mayor, or an individual designated by the Mayor. Additionally, the person making the complaint shall be informed of his/her right to a written response within fifteen (15) days of his/her submission of a written complaint
- B. The aggrieved party shall, within thirty (30) days of the action giving rise to his/her complaint, submit the complaint in writing to the Mayor of the Town of BATH at Town Hall. Program staff will be available during normal business hours to receive citizen inquires and complaints and to initiate response to such inquires and complaints
- C. The Mayor or a person designated by the Mayor shall conduct such investigation as deemed appropriate in the circumstances, and shall seek to conciliate the complaint with the appropriate person(s). A written response to the citizen complaint will be prepared within fifteen (15) working days.
- D. If the Mayor is unable to affect a satisfactory resolution of the matter through conciliation, the Mayor or a person designated by the Mayor shall complete an initial investigation and forward recommendations to the Town of BATH. Additionally, the individual filing the complaint will be informed in writing within fifteen (15) days of filing the written complaint that the matter is under investigation and that a final decision will be made by the Town of BATH. The individual must also be provided with a written schedule for resolution of the complaint.
- E. Should the individual filing the complaint object to the decision or finding of the Mayor or the Mayor's designee the individual may appeal the decision to the Town of BATH. This appeal must be in writing and must be filed within fifteen (15) days of the Mayor's decision.
- F. If the Mayor cannot conciliate the complaint or if the individual filing complaint appeals the Mayor's decision the Town of BATH shall meet and review the initial report, recommendations of the Mayor, the written appeal (if filed), and if it deems necessary hear from all appropriate persons. A three (3) day written notice will be given for such a meeting. The Town of BATH shall render its written decision of all

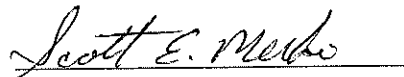
parties within ten (10) days of the meeting. All parties shall be informed that the decision of the Town of BATH may be appealed to the State of West Virginia for consideration under the State's SCBG grievance procedure.

NEEDS OF NON ENGLISH SPEAKING RESIDENTS

The 2014 census indicates that the Town of BATH contains less than (10) individuals out of a total population of 671 who do not speak English as their primary language. Of these individuals only a few do not speak English well; given this fact and the lack of any previous request for assistance to Non-English speaking individuals the Town of BATH does not expect a significant number of Non-English speaking persons to participate in the citizen review process. Further, because of the relatively small number of Non-English speaking persons and the diversity of their languages the Town of BATH does not feel it appropriate to schedule additional public hearings in languages other than English. However, should Non-English-speaking resident request assistance with public participation the Town of BATH will attempt to arrange for translation of the SCBG program information.

Approved and adopted this 5th day of June, 2018.

Town of BATH



Scott Merki, Mayor

Attest:



Susan Webster, Recorder

TOWN OF BATH COUNCIL MEETING

Tuesday, May 1, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of April 17, 2018: Approved by common consent.

PERSONS BEFORE COUNCIL: None at this time.

COMMUNICATIONS FROM MAYOR: Mayor Merki informed Council that a Bypass Task Force had been formed. The proposed bypass entrances near the northern and southern municipal boundaries of Bath have raised concerns among the business community.

MOTION: To give the Mayor authority to produce and send a letter to the WV DOH supporting a redesign of the entries of the proposed bypass to be advantageous and accommodating of Town of Bath businesses - Webster/Chapman - Motion carried.

FOR THE GOOD OF THE ORDER: No report at this time.

COMMITTEE REPORTS

Chapman/

WATER WORKS: Chairman Chapman reported that the first reading of the Berkeley Springs Water Works Leak Adjustment Policy amendment, will be tabled until the next meeting of Council to allow the Committee to develop more detail in the policy. The committee will address concerns over clarity with penalties. The next Water Committee meeting will be Monday, May 7th at 4pm.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER: No report at this time.

FINANCE: Chairman Swaim reported that the next meeting of the Finance Committee will be Tuesday, May 15th at 8:30am.

- Town of Bath Bills: \$2,619.90
Motion to Approve by: Swaim/Weber - Motion carried.
- Berkeley Springs Water Works Bills: \$268.03

Motion to Approve by: Swaim/Jackson - Motion carried.

- Greenway Cemetery: \$347.67

Motion to Approve by: Swaim/Weber - Motion carried.

PUBLIC WORKS: Chairman Weber reported on repairs to Town Hall and equipment recently acquired.

ORDINANCE: Chairman Webster presented for second reading Town of Bath Special Ordinance 2018-01 to Amend Section 66-27 to Exclude the Berkeley Springs Volunteer Fire Department from Roadway Solicitation Restrictions. (see attached). Chairman Webster offered one amendment to clarify that the ordinance would be effective immediately.

MOTION: To approve for second reading Town of Bath Special Ordinance 2018-01 – Webster/Weber - Motion carried.

Chairman Webster requested that the Ordinance Committee meeting time be changed to 4pm on the second Wednesday of the month. The request was approved by common consent.

BATH DEVELOPMENT AUTHORITY: Clerk Corrick presented payables for approval.

MOTION: To approve payables for the BDA - \$340.00: Skinner/Swaim - Motion carried.

GRANT: No report at this time.

TREE BOARD: Councilman Swaim reported on the activities of the Tree Board, the CommuniTree plantings and the success of the National Arbor Day Celebration held in the Berkeley Springs State Park and the Country Inn. The Cacapon Institute received one of two awards presented nationwide. Swaim expressed appreciation to all who helped produce the event and attendees. The Tree Board also received the 11th annual Tree City USA award and is seeking a location to hang a banner proclaiming such.

CEMETERY: Chairman Skinner reported that a former employee and mowing company had been hired for maintenance in Greenway Cemetery.

PLANNING COMMISSION: Larry Lower explained that the Commission will review the subdivision of the Hunter's Hardware lot at the corner of Mercer and Union Streets. The Planning Commission is also producing a block party event on upper Wilkes Street called *Let's Be Neighbors* on May 12, 2018. The next Planning Commission meeting will be Thursday, May 3rd at 4pm.

STREETSCAPE: Larry Lower reported that the committee is endeavoring to combine Streetscape activities with ADA compliance in Bath.

PARKS & RECEPTION: Bath has a vacancy on the board and is seeking volunteers.

TRAIN DEPOT: Mayor Merki reported that all Depot project paperwork has been completed and sent to the WV DOH.

RAIL/TRAIL: Larry Lower reported on the progress of the soil sampling at the Depot lot. Water was reached in the sampling which must now be tested. The next meeting of the committee will be May 22nd at 4pm in the Morgan County Commission room.

LANDMARK COMMISSION: The next meeting is May 21st at 4pm.

MOTION TO ADJOURN: Webster - Motion Carried.

Attest:

Mayor Scott E. Muck

Recorder Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, April 17, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Meeting of April 17, 2018: Approved by common consent.

PERSONS BEFORE COUNCIL: Morgan County Board of Education Superintendent Erich May addressed Council on the upcoming school levy rate referendum. He described the benefits to the community and encouraged support.

Councilman Swaim requested that two free parking spaces closest to the Courthouse entrance be made available for voters on Election Day, May 8, 2018.

COMMUNICATIONS FROM MAYOR: No communications at this time.

FOR THE GOOD OF THE ORDER: No report at this time.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman reported that the first reading of the Berkeley Springs Water Works Leak Adjustment Policy amendment will be tabled until the next meeting of Council to allow the Committee to develop more detail in the policy.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Chief Johnson reported that the repairs due to a deer strike to the new Police vehicle had been completed with no out of pocket expense to the Town due to insurance coverage and donations. The total bill was \$3,448.45. Skeeter's Auto Body donated \$477.00 of the repair work and the Morgan County Sheriff's Department paid the \$1,000.00 insurance deductible. Appreciation was expressed by Mayor and Council.

CLERK / RECORDER: Clerk Corrick reported on the success of the 'Make It Shine' project that was held on April 14, 2018. Several hundreds of pounds of debris were collected by volunteers throughout Town and Greenway Cemetery. She commended all involved including businesses who contributed refreshments.

Recorder Webster presented maps acquired from the Morgan County Commission on the new WV DOH bypass project. She expressed the importance of this project to the

community and encouraged Town involvement.

FINANCE: Chairman Swaim presented the 2018 Town of Bath Levy Order and Rate (see attached).

MOTION: To approve the 2018 Levy Order and Rate as presented by the Finance Chair – Webster/Weber – passed unanimously.

- Town of Bath Bills: \$13,059.95
Motion to Approve by: Swaim/Chapman - Motion carried.
- Berkeley Springs Water Works Bills: \$9,099.70
Motion to Approve by: Swaim/Weber - Motion carried.
- Greenway Cemetery Bills: \$342.65
Motion to Approve by: Swaim/Jackson
Chairman Swaim and Mayor Merki expressed appreciation for all who worked on the Town of Bath Budget. Chairman Swaim emphasized cutting expenditures and increasing revenue in the coming year.

PUBLIC WORKS: Chairman Weber reported street cleaning progress in Town.

ORDINANCE: Chairman Webster presented for first reading Town of Bath Special Ordinance 2018-01 to Amend Section 66-27 to exclude the Berkeley Springs Volunteer Fire Department from Roadway Solicitation Restrictions. (see attached).

MOTION: To approve for first reading Town of Bath Special Ordinance 2018-01 – Webster/Weber – Motion carried.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner is looking onto grants to assist the local recycling efforts.

TREE BOARD: Councilman Swaim reported on the activities of the Tree Board and upcoming events. He encouraged Council to participate in the enhanced Arbor Day Celebration which will be held in the Berkeley Springs State Park on ~~May 1~~, 2018. Mayor Merki presented the national Arbor Day Proclamation. *April 30,*

MOTION: To accept the National Arbor Day Celebration Proclamation – Swaim/Webster – Motion carried.

CEMETERY: Chairman Skinner expressed gratitude to the volunteer's efforts in Greenway Cemetery with the clean up during the 'Make It Shine' project. She is encouraged that with hiring of new employees that the maintenance progress will continue.

PLANNING COMMISSION: No report at this time.

STREETSCAPE: No report at this time.

PARKS & RECEPTION: Councilman Chapman reported on the Grand Opening of the Alex Rickli Soccer Field and that Town of Bath Parks & Rec representative Dawn Beal was very instrumental in the production of the event.

TRAIN DEPOT: Mayor Merki reported that the Depot project progress that had been held up in the legal department of the WV DOH has been resolved. The issue was that the valuation of the lot behind the Depot has always been the match for the grant, but this information had not been communicated. Documents are now in place.

RAIL/TRAIL: Mayor Merki reported on a group meeting held with the WV DOH on May 11. The soil sampling work is going well and doesn't appear to cause delay. State and Region representatives have approached Mountaineer Gas Company on using the Rail/Trail property to bring gas service to the Town of Bath.

LANDMARK COMMISSION: No report at this time.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder Susana Webster

Town of Bath Special Ordinance 2018-01 to Amend Sec. 66-27 to Exclude the Berkeley Springs Volunteer Fire Department from Roadway Solicitation Restrictions

Section 66-27. Solicitation within the Town of Bath

The West Virginia Department of Highways does not issue permission for the purpose of roadway solicitation, nor condone this type of activity. It is the opinion that roadway solicitation is an obstruction to the easy, safe and convenient use of a public roadway, as defined by WV Code 17-16-1. Any organization or government entity conducting or condoning such activity is assuming significant liability in the event of accident and/or injury. Therefore, the Town of Bath intends to abide by this West Virginia State Code for the entire Town of Bath.

However, a "Boot Drive" conducted by the Berkeley Springs Volunteer Fire Department, (hereafter BSVFD) shall be exempt from the above restrictions effective immediately with the following stipulations:

- (a) The BSVFD may be granted up to four dates in a calendar year to conduct a "Boot Drive." These dates shall be mutually agreed upon by the Mayor and Council of the Town of Bath and the BSVFD prior to any Boot Drive being conducted.
- (b) One location shall be granted per event and shall be only on State Route 522 at one of the lighted traffic controlled intersections; Rt. 522 and Rt. 9West, Rt. 522 and Fairfax Street or Rt. 522 and Rt. 9East.
- (c) Only members of the BSVFD who are certified in current traffic control training and outfitted in industry standard traffic control equipment and clothing shall be permitted to solicit within the roadway.
- (d) The BSVFD shall name the Town of Bath as an Additional Insured to its liability or event insurance per "Boot Drive" event. The BSVFD shall provide proof of insurance to the Town prior to any event date.

Mayor: Scott E. Mark Date: 5-1-18

Recorder: Sharon Weckstein Date: 5-1-18

Mayor
Scott Merki

Recorder
Susan J. Webster



Council Members
Andrew Swain
Elizabeth Skinner
Rick Weber
Chris Chapman
Rose Jackson

Town of Bath

271 Wilkes Street, Berkeley Springs, WV 25411
Phone 304-258-1102 Fax 304-258-2638

ARBOR DAY PROCLAMATION

- Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- Whereas,* the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas,* Arbor Day is now observed throughout the nation and the world, and
- Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
- Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE,

I, Scott Merki, Mayor of the City of Bath, do hereby proclaim
April 30th 2018, as

ARBOR DAY

in the City of Bath, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 17th day of April in the year 2018.

Mayor Scott E. Merki

TOWN OF BATH COUNCIL MEETING

Tuesday, April 3, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)
Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: Special Meeting March 27, 2018: Approved by common consent

PERSONS BEFORE COUNCIL: Matt Stotler, President of the Berkeley Springs Volunteer Fire Department (BSVFD), informed Council amended WV Statute 17-16-1 concerning 'Boot Drive' fund raising in municipalities. Council agreed that under prescribed circumstances the BSVFD should be allowed to conduct 'Boot Drives'. The necessary draft ordinance amendment was referred to the Ordinance Committee.

COMMUNICATIONS FROM MAYOR: Master Gardeners of Morgan County requested reservations of parking spaces on Fairfax and S. Washington Street and vender parking at the Depot lot for their upcoming Plant Fair on May 11 & 12, 2018. Approved by common consent.

Inspection of the Warm Springs Flood Control Dam was held on April 3, 2018. Region 9 Development Council requested a letter of support for Opportunity Zone designation.

MOTION: To give authority to the Mayor and Clerk to prepare and send a letter to Region 9 supporting the Opportunity Zone designation – Webster/Skinner – passed. The Town of Bath 'Make It Shine' program will be held April 7 with April 14, 2018 as the rain date.

The Mayor and Council commended the snow removal crews for their fine efforts during the last storm which severity resulted in the cancellation of the March 20th Council meeting.

FOR THE GOOD OF THE ORDER: No report at this time.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman reported on the recent Water Committee meeting which included discussion on snow removal by the BSWW crew and reimbursement by the Town. Chapman plans to present Council with a revised water adjustment procedure policy at the next meeting. Chapman also requested that Council support the BSWW in improving water service by making application for a Small Cities Block Grant.

MOTION: To approve and support the BSWW in its quest for water service improvements by making application for a Small Cities Block Grant- Webster/Weber – passed.

PUBLIC SAFETY: No building permits at this time.

CHIEF'S REPORT: Reminder of the Rx Take Back program on April 28, 2018.

CLERK / RECORDER: Clerk Corrick reported that FY 2018 budget was submitted to the WV Auditor's Office on March 27, 2018 and it is currently pending approval. Corrick also commended Codi Ford in her effort to enlist Bath businesses to offer refreshments to volunteers working with the 'Make It Shine' program.

FINANCE

- Town of Bath Bills: \$2,592.88
Motion to Approve by: Swaim/Jackson - Motion carried.
- Berkeley Springs Water Works Bills: \$10,613.05
Motion to Approve by: Swaim/Weber - Motion carried.

Chairman Swaim commented on the recently submitted budget and the need to generate revenue in the future. He thanked everyone who participated in its preparation and applauded Clerk Corrick's efforts and initiative with the budget preparation especially given her short time on the job.

Next Finance Meeting: April 17, 2018 @ 8:30am. The Laying of the Levy will be at the next regular meeting of April 17, 2018.

PUBLIC WORKS: Chairman Weber reported on the progress of the Town Hall building repair, bollard estimates and instillation and estimates on the rebuilding of Ewing Street.

ORDINANCE: Chairman Webster reported on the last Ordinance Committee meeting. The Town Attorney's directions were discussed concerning amendments to the Town's building permitting process. The Committee will rewrite the draft and resubmit.

BATH DEVELOPMENT AUTHORITY: President Cindy Bodin presented the new officers to Council as; Cindy Bodin, President; Allison Lankford, Vice President; Bill Clark, Secretary; Chris Bauman, Treasurer. She outlined several initiatives of the BDA including work to implement the Town's Comp Plan, collaboration with Parks and Rec, the Rail/Trail project, Morgan County EDA and the ON TRAC program. BDA has launched a web page and Facebook page. Bodin expressed a desire for the officers of BDA to have email addresses as part of the Town site. The Mayor will have staff look into this.

GRANT: Chairman Skinner is looking onto grants to assist the local recycling efforts.

TREE BOARD: Councilman Swaim explained the calendar of events for the Tree Board throughout April. Invitations will go out for the National Arbor Day celebration on April 30 at the Berkeley Springs State Park.

CEMETERY: Chairman Skinner reported that the next meeting of the Cemetery Corporation will be April 4, 2018 at Town Hall.

PLANNING COMMISSION: Larry Lower Reminded Council of the Commission interest in neighborhood improvement by encouraging neighbor cooperation especially upper Wilkes Street.

STREETSCAPE: Larry Lower reported on progress with Thrasher Engineering drawings, plans and the environmental studies.

PARKS & RECREATION: Town of Bath has a board vacancy.

TRAIN DEPOT: Mayor Merki reported that the Depot project progress that had been held up in the legal department of the WV DOH has been resolved. The Legal Department only recently learned that the required match for the grant has always been the valuation of the adjoining lot. Swift progress on the interior improvements is anticipated.

RAIL/TRAIL: Larry Lower reported on the remediation efforts of the Depot lot site.

LANDMARK COMMISSION: Secretary Lower reported that grants are being sought for continuation of Commission projects. They are working to update the survey of the Bath Historic District. Lower expressed the Commission's desire to be part of the Ordinance Committee's work on amending the Town's permitting process, and to meet with the Town Attorney. Ordinance Committee Chairman Webster said she would apprise Mr. Gay of the request.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder Susanne Webster

TOWN OF BATH SPECIAL COUNCIL MEETING

Tuesday March 27, 2018

CALL TO ORDER: @ 1:00pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (A)
Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: March 6, 2018: Approved by common consent

REVIEW & SIGNING OF THE 2018-2019 FISCAL YEAR BUDGET:

Discussion was held.

MOTION: To approve and send the Town of Bath 2018-2019 Budget to the WV Auditor's Office for review and approval – Swaim/Weber – motion carried.

FINANCE

- Town of Bath Bills: \$17,727.71
Motion to Approve by: Swaim/Weber- Motion carried.
- Berkeley Springs Water Works Bills: \$17,008.81
Motion to Approve by: Swaim/Weber - Motion carried.
- Greenway Cemetery: \$276.00
Motion to Approve by: Swaim/Weber- Motion carried.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merki

Recorder Susan Webster

TOWN OF BATH COUNCIL MEETING

Tuesday March 6, 2018

CALL TO ORDER: @ 5:30pm by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(A) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: February 20, 2018: Approved by common consent

PERSONS BEFORE COUNCIL: Jenna Hansroth appeared before Council to request appointment to the Town of Bath Landmarks Commission.

MOTION: To appoint Jenna Hansroth to the Town of Bath Landmark Commission – Chapman/Webster – motion carries.

COMMUNICATIONS FROM MAYOR: BSWW Distribution Foreman Jim Close and Operator Chris Develing were applauded for their effort during the recent fire at the old Berkeley Bottling Plant.

The Mayor reported that the Farmer's Market will be operating on Fairfax Street from April 1 through December 9, 2018 with the exception of Apple Butter weekend.

FOR THE GOOD OF THE ORDER: Councilwoman Jackson reminded Council of the opportunity to be a sponsor of the Apple Butter Festival.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman reported that the next Water Committee meeting will be held on Monday, March 12 at 4:30 pm at Town Hall.

PUBLIC SAFETY: No report at this time.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER: The Clerk reported that there are 17 applications for Hotel/Motels funds this year.

FINANCE

- Town of Bath Bills: \$5,852.05
Motion to Approve by: Swaim/Weber- Motion carried.
- Berkeley Springs Water Works Bills: \$8,302.19

Motion to Approve by: Swaim/Weber - Motion carried.

- Greenway Cemetery: \$66.65

Motion to Approve by: Swaim/Weber- Motion carried.

- Hotel/Motel Tax Disbursement for July 1 through December 31, 2017: \$23,431.34

Motion to Approve: Swaim/Weber – Motion carried.

- Town of Bath Tree Board transfer of funds to the Rail/Trail Committee: \$1,500.00

Motion to Approve: Swaim/ Weber – Motion carried.

Chairman Swaim explained that this transfer was due to the Tree Board holding funds for the Rail/Trail Committee until the Rail/ Trail Committee had a bank account.

Swaim reported that the first Budget Meeting will be held February 21 at 7:45AM.

This meeting will concern the Hotel/Motel Tax funding. Budget meeting will continue until work is completed. The budget is due on March 28, 2018.

PUBLIC WORKS: Discussion was held on signage for the Ewing Street bridge and parking for the Morgan County Sheriff.

The Mayor requested that the Public Works Committee look in to acquiring bollards for the front of Town Hall due to a recent auto accident that damaged the building.

ORDINANCE: Chairman Webster reported on the last Ordinance meeting and the suggestions made by the Town Attorney Richard Gay to amend Ordinance 2012-03. Work is being done to include the suggested enhancements and return to Mr. Gay for approval.

BATH DEVELOPMENT AUTHORITY: BDA is changing their meeting days to the second Wednesdays of the month. The time will still be 4:30PM and at Town Hall.

GRANT: No report at this time.

TREE BOARD: Councilman Swaim reported on the preparations being made by the Town of Bath Tree Board for the National Arbor Day Celebration. The event will be held on Monday, April 30, 2018 in the Berkeley Springs State Park. There will be special guests and an award presented to the Capon Institute. Swaim will keep the Mayor and Council apprised of the celebration program progress.

CEMETERY: No report at this time other than discussion of traffic issues due to the fire.

PLANNING COMMISSION: Larry Lower reported on the continuing plans for the Planning Commission to be involved in the Town's Make It Shine program and others.

STREETSCAPE: Co-Chair Larry Lower reported on talks with WVDOH on programs to install ADA ramps through Bath. Lower and Pete Brown are drafting a proposal to DOH to include ADA work to be done with current Streetscape project.

PARKS & RECREATION: Town of Bath has board vacancy.

TRAIN DEPOT: Mayor reported that the Depot project is still stalled in the Legal Department of WV DOH.

RAIL/TRAIL: Soil samples have been taken and sent for study.

LANDMARK COMMISSION; Next meeting is March 20, 2018 at 4PM.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Meeks

Recorder Susan J. Webster

		TOWN OF BATH EXPENDITURES AND ENCUMBRANCES							
		YEAR:	2018						
BATCH DATE		3/20/2018							
Vendor	VENDOR ACCT #		AMOUNT	DESCRIPTION					
			\$ 17,087.42	February Credit Card					
			\$51.80	EE paid					
			\$12.39	N. Wash Street					
			\$266.58	Copier		Office			
			\$173.58	Copier		Police Dept			
			\$96.42	Electric Service		Train Depot			
			\$34.17	Electric Service		Union Street			
			\$5.35	Electric Service		204 N Washington St			
Totals:			\$17,727.71						

GREENWAY

EXPENDITURES AND ENCUMBRANCES

		YEAR:	2018		
BATCH DATE		3/20/2018			
VENDOR ACCT #	VENDOR NAME		AMOUNT	DESCRIPTION	
	Brickstreet		276.00	Workerscomp	
	TOTAL		\$276.00		

TOWN OF BATH COUNCIL MEETING

Tuesday, February 20, 2018

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES:

February 6, 2018, Regular Meeting Minutes: Approved by common consent.

PERSONS BEFORE COUNCIL: Rebecca MacLeod, President of the Bath Planning Commission, presented ideas that the Commission wishes to pursue in regards to activities to engage citizens in neighborhood improvement and volunteerism. The Commission wants to expand the Make It Shine program to encourage personal property clean up with the Bath Public Works Department's cooperation. Council supported the proposed effort. H & R Block management appeared before Council to dispute the validity of disparaging comments made at the previous meeting by Barb Wolfe about their business signage. The Mayor assured them that he appreciated their concerns, hoped for accurate future communication and adherence to WV DOH right of way regulations. Eastern Panhandle Conservation District representatives Lyn Dunham and Jim Michael presented information and needs of the organization with the preservation of flood control dams and their importance to the safety of Bath citizens and property. Funding of the District will be addressed by the Finance Committee during the 2018 budget preparation. Tom Zanhov requested that the Berkeley Springs Water Department consider placing a Warm Springs Wolves banner on the Fairview Drive water tank since the tank is adjacent to the Middle School. The subject was referred to the Water Committee.

COMMUNICATIONS FROM MAYOR: Mayor Merki reported that soil samples had been taken at the Depot lot by the WV DEP. The report is expected in the coming months.

FOR THE GOOD OF THE ORDER: No report.

COMMITTEE REPORTS

WATER WORKS: Chairman Chapman announced that the next meeting of the Water Committee is March 12.

PUBLIC SAFETY: No building permits. Discussion on building in ROW.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER: No report at this time.

FINANCE

- Town of Bath Bills: \$26,775.25 – Motion to Approve by Swaim/Weber– Motion carried.
- Berkeley Springs Water Works Bills: \$18,953.34 - Motion to

Approve by: Swaim/Jackson- Motion carried.

- Greenway Cemetery Bills: \$61.90 – Motion to Approve by Swaim/Skinner. Motion carried.

Chairman Swaim reminded all of the February 28 deadline on Hotel/Motel grant applications. Meetings concerning the Town Budget preparation begin March 7, 2018. Department Heads input will be requested. Next Finance meeting will be March 20, 2018, @ 8:30AM

PUBLIC WORKS: Chairman Weber informed Council on the necessity of including repair of the Ewing Street bridge in the 2018 budget. He presented a letter written to a property owner on Church Street concerning mechanical fluid running down this street and the detrimental effects. See attached.

ORDINANCE: The next Ordinance Committee meeting will be February 26, 2018.

BATH DEVELOPMENT AUTHORITY: No report at this time.

GRANT: Chairman Skinner is looking at new grant possibilities.

TREE BOARD: Councilman Swaim spoke on the upcoming Arbor Day celebration.

CEMETERY: No report at this time.

PLANNING COMMISSION: The next meeting will be the first Thursday in March.

STREETSCAPE: Co-Chairman Low^{or} reported Streetscape activities including ADA compliance, scope of work changes with Phase IV A, cost estimates and the Berkeley Springs State Park project timing.

PARKS & RECREATION: Town of Bath has board vacancies.

TRAIN DEPOT: The Mayor reported that this project is delayed in the DOH Legal Dept.

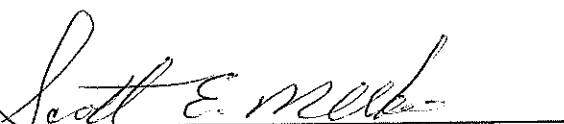
RAIL/TRAIL: The next meeting is the 4th Tuesday in February.

LANDMARK COMMISSION: The next commission meeting is February 26th.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor



Recorder



TOWN OF BATH COUNCIL MEETING

Tuesday, February 6, 2018

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (A)

QUORUM PRESENT: YES

REVIEW OF MINUTES:

January 16, 2018, Regular Meeting Minutes: Approved by common consent.

PERSONS BEFORE COUNCIL: Hunter Clark informed Council of several new projects underway to expand Christmas festivities in Town. He inquired about the possibility of using the donated yellow building in Depot lot for display and/or storage. Council approved per common consent.

Christopher and Meghan Bauman introduced themselves to Council, presented resume letters and requested appointment to the Bath Development Authority.

MOTION: To appoint Christopher and Meghan Bauman each to a three year term to the Bath Development Authority – Skinner/Chapman– motion carried.

Thomas Butcher and David Gillen from Potomac Edison's tree management program informed Council of the company's plan for trimming or removal of trees that could interfere with reliable electric service. The 2018 project will begin a four year rotation.

COMMUNICATIONS FROM MAYOR: Mayor Merki asked Council members to regularly check Town emails to keep informed of Town business.

The Mayor reported that he had received a letter from the Executive Director of the Chamber of Commerce, Lori Hansroth, requested permission for the Chamber to work with the Morgan Arts Council to artfully paint 15 parking meters on Independence Street. Permission was granted by common consent.

FOR THE GOOD OF THE ORDER: Mayor Merki presented the completed application from the WV DEP for the annual "Make It Shine" program.

MOTION: To set the date for the Make It Shine program for April 7, 2018, with April 14, 2018, as the rain date – Webster/Chapman – motion carried.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that the BSWW is now fully staffed. His committee also plans to use the appeals process of the WV DEP to submit a letter expressing ongoing concerns of U.S. Silica moving its mining operation closer to town and the town's sole water source.

PUBLIC SAFETY:

No building permits presented for Council's approval.

CHIEF'S REPORT: Chief Johnson reported that a recent grant provided several new pieces of equipment including a new computer. The Chief also reported that he tested speed signs which have had success in Bath. He would appreciate local donations as the signs are \$3,100.00 per

unit.

CLERK / RECORDER: No report at this time.

FINANCE .

- Town of Bath Bills: \$4,161.69 – Motion to Approve by Swaim/Webster– Motion carried.
- Town of Bath Tree Board Bills: \$300.00 Motion to Approve by: Swaim/Jackson- Motion carried.
- Rail/Trail Project Bills – Motion to Approve by Swaim/Webster. Motion carried.

Chairman Swaim reminded all of the February 28 deadline on Hotel/Motel grant applications. Meetings concerning the Town Budget preparation begin March 7, 2018. Next Finance meeting will be February 20, 2018, @ 8:30AM

PUBLIC WORKS: Crew Leader Rodney Steiner was applauded for his snow removal efforts.

ORDINANCE: Chairman Webster reported that several members of Council had met with the Town Attorney Richard Gay concerning his opinion on building codes and the practicality for Bath. The Ordinance Committee will continue work on the matter. The WV State Legislature is working on a bill that will allow only volunteer fire fighting units to operate 'boot drives' for fund raising. The next Ordinance Committee meeting will be February 26, 2018.

BATH DEVELOPMENT AUTHORITY: President Bodin addressed Council on BDA's meeting with the Planning Commission, the membership of BDA, and progress towards the BDA's Facebook page. She plans to livestream the BDA meetings in the future.

GRANT: Chairman Skinner is looking at new grant possibilities.

TREE BOARD: Councilman Swaim reported that the board members are planning a workshop on February 14, 2018.

CEMETERY: Councilwoman Skinner plans to meet with the Finance Committee on employment needs for Greenway Cemetery at the Finance Committee meeting on February 20, 2018.

PLANNING COMMISSION: Larry Lower reported that the Commission is working with BDA on several community wide projects for improving neighborhoods. President MacLeod will address Council at the next meeting on the Make It Shine.

STREETSCAPE:

Co-Chairman Lower reported on Streetscape members meeting with the BSWW concerning ADA accessible corners on sidewalks rebuilt during water projects. The Streetscape Committee will meet February 14, 15, and 16 so that several deadlines can be met.

PARKS & RECREATION: Town of Bath has board vacancies.

TRAIN DEPOT: Larry Lower reported that progress is being made after much delay in time.

RAIL/TRAIL: The remediation and soil sampling has not been done at this point.

LANDMARK COMMISSION: The Commission is continuing to meet on historic renovations and other issues.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Meek

Recorder Webster

Mayor
Scott Merki

Recorder
J. Vincent Kiddwell



Council Members
Andrew Swinnin
Elizabeth Skinner
Rick Weber
Chris Chapman
Tiffany White

Town of Bath

271 Wilkes Street, Berkeley Springs, WV 25411
Phone (304) 258-1102 Fax (304) 258-2638

Town of Bath

Resolution 2018-05

A resolution to authorize the submission of Transportation Alternatives Program Grant Application for funding for the purposes of improvements for the Berkeley Springs State Park

Whereas; the Town of Bath has begun implementation of rehabilitation of the Berkeley Springs State Park.

Whereas; funding for the improvements requires an additional amount to cover the expanded sidewalks, bridges and wall repairs.

Whereas; the committee intends to apply for grant funding for this additional amount through the West Virginia Transportation Alternatives (TA) Program Grant program.

Whereas; the TA Grant program requires a local government authority to submit the said application along with a local resolution.

Now therefore, be it resolved; by the Town of Bath Town Council that the Mayor for the Town of Bath is authorized to execute said application along with any additional agreements or documents on behalf of Town of Bath to obtain these grant funds.

GIVEN under my hand and the Seal of the
Town of Bath, County of Morgan, West Virginia
In the Town of Bath this 16th day of January 2018

By the Mayor of the Town of Bath.

Scott E. Merki
Scott Merki

Date: 1-17-2018

Attest:
Clerk of the Town of Bath

Sharron A. Corrick
Sharron A. Corrick

Date 1-17-2018

Mayor
Scott Merki

Recorder
J. Vincent Kidwell



Council Members
Andrew Swain
Elizabeth Skinner
Rick Weber
Chris Chapman
Tiffany White

Town of Bath

271 Wilkes Street, Berkeley Springs, WV 25411
Phone (304) 258-1102 Fax (304) 258-2638

Town of Bath

Resolution 2018-06

A resolution to authorize the submission of Transportation Alternatives Program Grant Application for funding for the purposes of engineering and design for Streetscape Town of Bath improvement in sidewalks

Whereas; the Town of Bath has begun implementation of rehabilitation of the sidewalks.

Whereas; funding for the improvements requires an additional amount to cover the expanded sidewalks.

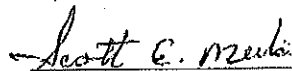
Whereas; the committee intends to apply for grant funding for this additional amount through the West Virginia Transportation Alternatives (TA) Program Grant program.

Whereas; the TA Grant program requires a local government authority to submit the said application along with a local resolution.

Now therefore, be it resolved; by the Town of Bath Town Council that the Mayor for the Town of Bath is authorized to execute said application along with any additional agreements or documents on behalf of Town of Bath to obtain these grant funds.

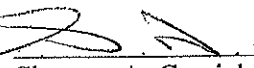
GIVEN under my hand and the Seal of the
Town of Bath, County of Morgan, West Virginia
In the Town of Bath this 16th day of January 2018.

By the Mayor of the Town of Bath


Scott Merki

Date: 1-17-2018

Attest:
Clerk of the Town of Bath


Sharron A. Corrick

Date 1-17-2018

Mayor
Scott Merki

Recorder
J. Vincent Kiddwell



Council Members
Andrew Swain
Elizabeth Skinner
Rick Weber
Chris Chapman
Tiffany White

Town of Bath
271 Wilkes Street, Berkeley Springs, WV 25411
Phone (304) 258-1102 Fax (304) 258-2638

Town of Bath
Resolution 2018-07

A resolution to authorize the submission of Transportation Alternatives Program Grant Application for funding for the purposes of constructing Streetscape Town of Bath Improvement in sidewalks

Whereas; the Town of Bath has begun implementation of rehabilitation of the sidewalks.

Whereas; funding for the improvements requires an additional amount to cover the expanded sidewalks.

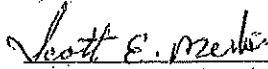
Whereas; the committee intends to apply for grant funding for this additional amount through the West Virginia Transportation Alternatives (TA) Program Grant program.

Whereas; the TA Grant program requires a local government authority to submit the said application along with a local resolution.

Now therefore, be it resolved; by the Town of Bath Town Council that the Mayor for the Town of Bath is authorized to execute said application along with any additional agreements or documents on behalf of Town of Bath to obtain these grant funds.

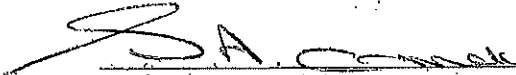
GIVEN under my hand and the Seal of the
Town of Bath, County of Morgan, West Virginia
In the Town of Bath this 16th day of January 2018.

By the Mayor of the Town of Bath


Scott Merki

Date: 1-17-2018

Attest:
Clerk of the Town of Bath


Sharron A. Corrick

Date 1-17-2018

TOWN OF BATH COUNCIL MEETING

Tuesday, January 16, 2018

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES:

January 2, 2018, Regular Meeting Minutes: Approved by common consent.

PERSONS BEFORE COUNCIL: Barb Wolfe, President of the Morgan County Solvers had requested that the Town of Bath join this organization.

MOTION: That the Town of Bath would join Morgan County Crime Solvers at the organizational dues level – Webster/Jackson, motion carried.

Streetscape Co-chair, Larry Lower, presented three resolutions for Council's approval concerning upcoming Streetscape projects. See Attached.

MOTION: To approve Bath Resolution 2018-05 – Webster/Weber – motion carried.

MOTION: To approve Bath Resolution 2018-06 – Weber/Webster – motion carried.

MOTION: To approve Bath Resolution 2018-07 – Chapman/Jackson – motion carried.

COMMUNICATIONS FROM MAYOR: Mayor Merki expressed concern that a building had been razed in town without the proper permitting procedure being followed. Discussion was held concerning permitting, building codes, and the legal opinion of Town Attorney Richard Gay on these matters. It was agreed that the Mayor would make an appointment with legal counsel, and that all of Council will be notified of the meeting and welcome to attend.

The Mayor referred the issue of Berkeley Springs Volunteer Fire Department 'Boot Drives' in Bath to the Ordinance Committee.

The Warm Springs Watershed Association sent a letter informing Council of their workshop to be held on February 7, 2018. See Attached.

The Mountain State Cruisers requested that Council approve the group's schedule for 'Cruise-Ins'. Discussion was held.

MOTION: To approve the schedule of events as presented by the Mountain State Cruisers – Skinner/Weber – motion carried.

FOR THE GOOD OF THE ORDER: Councilwoman Jackson, Town of Bath representative to Travel Berkeley Springs, reported on the recent TBS meeting. She informed Council that TBS had donated \$500.00 to the Bath Christmas decorating project. Discussion was held concerning the Town's website, Facebook page and social media. Jackson reported that TBS would pay to

have the Town website redone. Council approved by common consent. Discussion was held on a Town of Bath advertising campaign, which was referred to the Finance Committee.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that his committee met on January 8, 2018. The Committee is interviewing for the open Class II operators position. The next meeting is February 5, 2018 and that the agenda will include Streetscapes.

PUBLIC SAFETY:

No building permits presented for Council's approval.

CHIEF'S REPORT: Chief Johnson reported on recent weather related accidents.

CLERK / RECORDER:

No reports at this time.

FINANCE.

- Town of Bath Bills: \$28,967.67 – Motion to Approve by Swaim/Weber – Motion carried.
- Berkeley Springs Water Works Bills: \$13,456.13 Motion to Approve by: Swaim/Weber - Motion carried.
- Greenway Cemetery Bills: \$311.85 – Motion to Approve by Swaim/Weber. Motion carried.

Chairman Swaim reminded all of the February 28 deadline on Hotel/Motel grant applications. The Auditor's Office Budget Seminar will be January 31, 2018. It has been requested that a checking account be opened for the Rail/Trail Project. Swaim reported that there are some budgetary issues and possible errors in bookkeeping. The Committee will investigate and report. Next Finance meeting: February 20, 2018 @ 8:30AM

PUBLIC WORKS: Routine maintenance and weather related precautions are ongoing.

ORDINANCE: The Attorney's opinion letter issues have been referred to the Ordinance Committee as has the BSVFD 'Boot Drive' ordinance for amendment. The next Ordinance Committee meeting will be January 29, 2018 at 4PM.

BATH DEVELOPMENT AUTHORITY:

In the absence of President Bodin, Councilwoman Skinner reported on activities.

Members of the BDA have met with the Planning Commission and the groups are collaborating on future events that they believe will improve neighborhoods and commercial ventures. Council asked to be kept informed.

GRANT: Chairman Skinner is looking at new grant possibilities.

TREE BOARD: Councilman Swaim reported that the board members are planning a workshop.

CEMETERY: Councilwoman Skinner plans to meet with the Finance Committee on Cemetery needs.

PLANNING COMMISSION: Larry Lower reported that Rebecca MacLeod had been elected President of the Planning Commission. He spoke of the grass roots planning that the Commission was engaged in with the BDA.

STREETSCAPE:

Co-Chairman Lower reported on continuing work on grant applications, engineering, design and funding. The January 18, 2018 meeting has been cancelled.

PARKS & RECREATION: Town of Bath has board vacancies.

TRAIN DEPOT: The resolution passed by Council has been sent to the DOH.

RAIL/TRAIL: The remediation and soil sampling process is ongoing.

LANDMARK COMMISSION;

The Commission is meeting on January 22, 2018, at 4PM at Town Hall. A tax credit workshop will be held on January 30, 2018, at the Ice House.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Mink

Recorder Suzanne Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, January 2, 2018

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)
Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (A)

QUORUM PRESENT: YES

REVIEW OF MINUTES:

December 19, 2017, Regular Meeting Minutes: Approved by common consent.

PERSONS BEFORE COUNCIL: Barb Wolfe, President of the Morgan County Crime Solvers, requested Council's support and consideration of membership in the organization. Mayor referred to the Finance Committee for recommendation at the next Council meeting.

Hunter Clark has volunteered to clean and repair Town Christmas decorations after the Town Crew is able to take them down. Clark's efforts were appreciated by Council.

Lee Barron gave a report on the progress of the Community Garden, and he acknowledged the volunteer efforts involved. He requested the lot for 2018.

MOTION: Chapman/Jackson that the Community Garden be permitted to use the lot next to Town Hall in 2018. Motion carried.

COMMUNICATIONS FROM MAYOR: Mayor Merki reported that he had met with the Town attorney, Richard Gay, concerning the issue of Mr. Gay's legal opinion on the process required to adopt a building code. The Mayor concurred that a pamphlet must be developed and distributed, and that a public hearing is required after proper notice of such hearing is given.

The Mayor asked that the 'Boot Drive' issue be revisited and that the subject be placed on the next agenda.

FOR THE GOOD OF THE ORDER: The Mayor presented the required resolution needed to initiate the next phase of work on the interior of the Berkeley Depot.

MOTION: Webster/Chapman to pass Resolution 2018-02. Motion carried.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that the BSWW is in need of a Class II operator.

The Streetscape Committee will meet with the Water Committee along with past Chief Operator at the February 2018 meeting.

PUBLIC SAFETY:

No building permits presented for Council's approval.

CHIEF'S REPORT: No report at this time.

CLERK / RECORDER:

Recorder Webster hopes to meet with interested Council members and the new Town Clerk concerning the handling of communications by staff and officials. Clerk Corrick informed Council of the free budget workshop provided by the WV State Auditor's Office. Members must have their registrations in by January 24, 2018.

FINANCE .

- Town of Bath Bills: \$7,899.82 – Motion to Approve by Swaim/Webster – Motion carried.
- Berkeley Springs Water Works Bills: \$516.71 Motion to Approve by: Swaim/Jackson - Motion carried.
- Greenway Cemetery Bills: \$633.17 – Motion to Approve by Swaim/Jackson. Motion carried.

Chairman Swaim reminded all of the February 28 deadline on Hotel/Motel grant applications. Next Finance meeting: January 16, 2018 @ 8:30AM

PUBLIC WORKS: No report at this time.

ORDINANCE: No report at this time.

BATH DEVELOPMENT AUTHORITY:

It has been decided that the Berkeley Springs-Morgan County Chamber of Commerce will take the lead on developing the application for the ON TRAC Program. The Bath Development Authority will collaborate and assist.

GRANT: No report at this time.

TREE BOARD:

The next meeting will be on Wednesday, January ²⁴~~1~~, 2018, at Town Hall at 1:00 PM.

CEMETERY: No report at this time.

GRANT COMMITTEE; No report at this time

PLANNING COMMISSION

The next meeting will be January 4, 2018, at 4:00 PM. The Commission is seeking assistance through grants for training and support for organizations seeking to implement the Comprehensive Plan.

STREETSCAPE:

Chairman Lower reported on continuing work on grant applications, engineering, design and funding. The Berkeley Springs State Park project is in progress.

PARKS & RECREATION:

Town of Bath has board vacancies.

TRAIN DEPOT:

Nothing more at this time.

RAIL/TRAIL:

Soil sampling is to begin by the WV DEP in January 2018.

LANDMARK COMMISSION;

The Commission is arranging a meeting with WV SHIPO to educate the public on tax credits on historic preservation on January 22, 2018, at 4:00 PM at Town Hall.

PUBLIC COMMENT: None at this time.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Webb

Recorder Susan J. Webb

TOWN OF BATH COUNCIL MEETING

Tuesday, December 19, 2017

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)
Elizabeth Skinner (X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: December 5, 2017, Special Meeting and Hearing concerning the Hotel Occupancy Tax Ordinance amendments: Approved by common consent.

December 5, 2017, Regular Meeting Minutes: Approved by common consent.

PERSONS BEFORE COUNCIL: In the absence of the Bath Development Authority (the BDA) President Ron Martin, Recorder Susan Webster presented a resolution to the Town Council provided by the West Virginia Development Office supporting in principle the ON TRACT Program and supporting the Town of Bath submitting an ON TRAC application. MOTION: Webster introduced the motion while Swaim seconded. Chris Chapman, Beth Skinner, Andy Swaim, and Susan Webster voted for the motion. Rose Jackson and Rick Weber voted against the motion.

COMMUNICATIONS FROM MAYOR: Mayor Merki read a letter of resignation from Ron Martin as the President of the BDA effective today while his membership in BDA will end December 31, 2017. The Mayor introduced and welcomed the new Town Clerk, Sharron Corrick.

FOR THE GOOD OF THE ORDER:

No report at this time.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that the newly hired Chief Water Operator began his duties on Monday, December 18, 2017.

Councilman Swaim requested that the Streetscape Committee meet with the Water Committee along with past Chief Operator at the February 2018 meeting.

PUBLIC SAFETY:

No building permits for Council's approval.

Danielle Swope reported that the Town of Bath Police Department had been awarded the AAA Platinum Safety Award for 2017. Appreciation was expressed to the Police Department for the staff's work and dedication.

CHIEF'S REPORT:

No report at this time.

CLERK / RECORDER:

The new Town Clerk began her duties on December 18, 2017.

FINANCE.

- Town of Bath Bills: \$8,635.82 – Motion to Approve by Swaim/Weber – Motion carried.
- Town of Bath Tree Board - \$200.00 – Motion to Approve – Swaim/Weber – Motion carried.
- Berkeley Springs Water Works Bills: \$8,978.73 Motion to Approve by: Swaim/Jackson - Motion carried.

Chairman Swaim reported on the Finance Committee meeting of December 19, 2017. He explained that Chief Johnson had approached the Finance Committee with a reimbursable grant opportunity for his department and requested assistance. The Finance Committee will assist in budgeting arrangements.

The Finance Committee is reviewing the 2017 budget.

Next Finance Meeting: January 16, 2018, @ 8:30 AM

PUBLIC WORKS:

Chairman Weber reported on Crew Leader Steiner's work with the new equipment. The Public Works Committee met with the Streetscape Committee on the collaboration of projects.

ORDINANCE:

Chairman Webster reported on the Town Attorney's opinion on the procedure required to enact a building code for the Town of Bath. Discussion was held concerning the possibility of coordinating with the Morgan County Commissioners to enact one building code for Morgan County and Bath. Mayor and Council concurred that a meeting with the Town Attorney was in order, and that all of the Council would be notified and invited to the meeting.

BATH DEVELOPMENT AUTHORITY:

No report other than previously given in meeting.

GRANT:

No report at this time.

TREE BOARD:

The next meeting will be on Wednesday, January 4, 2018, at Town Hall at 1:00 PM.

CEMETERY:

No report at this time.

PLANNING COMMISSION

The next meeting will be January 4, 2018, at 4:00 PM. The Commission is seeking assistance through grants for training and support for organizations seeking to implement the Comprehensive Plan.

STREETSCAPE:

Chairman Lower and Pete Brown of the Committee gave an in depth report to Council before the regular meeting on future Streetscape projects with details on planning, construction, and financing.

PARKS & RECREATION:

Town of Bath has board vacancies.

TRAIN DEPOT:

Larry Lower reported that Chairman John McCracken had made progress with the WV DOH, and that the design for the interior of the Depot will begin soon.

RAIL/TRAIL:

The WV DEP has accepted the Town's application for voluntary remediation of the lot at the Berkeley Depot. Larry Lower is working on the voluntary agreement with the DEP. Soil sampling is to begin in January 2018.

LANDMARK COMMISSION;

The National Historic Preservation organization sent the Landmark Commission a certificate of congratulations to the Town of Bath for being a Certified Local Government and a partner in the Federal Preservation Program since 2006.

PUBLIC COMMENT:

Councilman Swaim inquired about the progress of the transfer of the property at 10 Union Street. This work is still with the Town Attorney and the owner's

representative.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Webb

Recorder Webster

TOWN OF BATH COUNCIL MEETING

Tuesday December 5, 2017

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: November 21, 2017: Approved by common consent.

PERSONS BEFORE COUNCIL:

Barb Wolfe expressed appreciation to all participants and employees of Bath who contributed to the success of the Winter Fest Parade, meter decorating and lighting event held on Saturday, December 2nd.

Lori Hansroth, Executive Director of the Berkeley Springs Morgan County Chamber of Commerce, thanked Council for their support of the parking meter Christmas decorating project and the Winter Fest Parade. She also asked if the Bath Development Authority still had an interest in attending the mandatory ON TRAC application training meeting to be held the next day, December 6th, in Suttent, West Virginia. The BDA had registered for the meeting with the West Virginia Development Office and was sending three members.

Matt Stotler, President of the Berkeley Springs Volunteer Fire Department, discussed his organizations ability to have 'boot drives' on State Route 522 (Washington Street). The Mayor plans to meet with the West Virginia State Police President Stotler on the matter.

Reverend Phillip King represented the Homeless Coalition of Morgan County. He explained the organization's legal status, preparation, training and accommodations to assist with the homeless during December 2017, and January and February 2018.

Jan Didawick spoke in support of the Homeless Coalition and the need to keep personal information confidential.

COMMUNICATIONS FROM MAYOR:

The Mayor expressed his gratitude to the community and Town employees for their hard work and collaboration in making the Winter Fest Parade, decorating and lighting event a success on December 2, 2017.

FOR THE GOOD OF THE ORDER:

No report at this time.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that the Water Committee met on December 4, 2017 with representatives of Morgan Wireless concerning this company placing equipment on BSWW water towers to expand internet coverage in Morgan County. Morgan Wireless will create a contract for the Water committee's review.

The Chairman also reported that funds that the BSWW had been assured were available by the WV Infrastructure and Jobs Development Council were now not available because of a time bar. Due to the IJDC's inconsistency in communication on this matter the Mayor will send a letter asking for an exemption from this rule or an explanation as to this confusion.

The new Chief Water Operator will begin duties on December 18, 2017.

PUBLIC SAFETY:

No building permits for Council approval.

CHIEF'S REPORT:

No report at this time.

CLERK / RECORDER:

The new Town Clerk will begin duties on December 18, 2017.

FINANCE.

- Berkeley Springs Water Works Bills: \$3,076.03
Motion to Approve by: Swaim/Weber - Motion carried.
Next Finance Meeting: December 19, 2017, @ 8:30 AM

PUBLIC WORKS:

Centric Business Systems Company has been chosen to supply and service the Town's printing and copier needs.

ORDINANCE:

The Public Hearing concerning the amendment to the town of Bath Hotel

Occupancy ordinance was held as prescribed by WV Code.

Chairman Webster and Council discussed the Hotel Occupancy Tax increase from 4% to 6% and the removal of the 30 day limit on the Occupancy Tax to be collected.

MOTION: by Weber/Webster for the Second Reading to amend Section 74-71 (a) from 4% to 6% tax to be charged and Section 74-71 (b) to remove the 30 day limit on the Town's ability to collect the hotel Occupancy Tax with the effective date of January 1, 2018.

Poll vote: Swaim, Webster, Weber, Chapman and Jackson voted in favor. Skinner

voted nay.

Webster will set an Ordinance Committee meeting to discuss the Town Attorney's opinion letter on ordinance procedure.

BATH DEVELOPMENT AUTHORITY:

In the absence of President Martin Recorder, Webster reported that the next meeting of the Bath Development Authority will be held at the Morgan County Courthouse in the County Commission Room at 4:30PM on Tuesday, December 12, 2017.

The BDA held a workshop on December 2, 2017 to decide on goals they wish to present to the Planning Commission and Council.

The BDA has registered with the WV Development Office and will send members to the ON TRAC application training meeting to be held in Sutton, WV on December 6, 2017.

GRANT:

No report at this time.

TREE BOARD:

The next meeting will be Wednesday, December 13, 2017 at 1PM. Discussion was held on problem trees on College Street.

CEMETERY:

Councilman Swaim reported that the grant application that was awarded to the Warm Springs Water Shed Association for work on the south road erosion control was for \$3,000.00 rather than \$5,000.00 as reported last meeting.

PLANNING COMMISSION:

No report at this time. The next meeting will be January 4, 2018 at 4:00PM.

STREETSCAPE:

Chairman Lower has arranged a meeting with the Public Works Committee on December 14, 2017. The goal is for the Streetscape Project to work in conjunction with the Public Works Committee future plans. Streetscape Committee will present plans to the Mayor and Council at the regular meeting of December 19, 2017.

PARKS & RECREATION:

Town of Bath has board vacancies.

TRAIN DEPOT:

The Mayor reported that the Depot Committee Chairman John McCracken is working on an agreement with the WV DOH and the Town to move forward.

RAIL/TRAIL:

The WV DEP has accepted the Town's application for voluntary remediation of the lot at the Berkeley Depot. The WV DOH will be here on December 13, 2017.

LANDMARK COMMISSION;

The next meeting will be on December 11, 2017 at 4:00PM.

PUBLIC COMMENT:

None at this time.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Merko

Recorder Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, November 21, 2017

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (X) Rick Weber (X)

QUORUM PRESENT: YES

REVIEW OF MINUTES: November 7, 2017: Approved by common consent.

PERSONS BEFORE COUNCIL:

Jeanne Mozier and Nancy Harvey were present to request reappointment to the Town of Bath Landmark Commission for a three year term. Larry Lower also requested reappointment for a three year term, but was not present. Recorder Webster expressed concern over Ms. Mozier's recent and past remarks and communications which were disparaging of the Town.

MOTION by Jackson/Weber to reappoint Mozier, Harvey and Lower to three year terms to the Town of Bath Landmark Commission.

Webster asked that the motion be split so the Council could vote on the reappointments individually. Her request was denied. The vote was five to one in favor with Webster voting nay.

Stacie Garner of Centric Business Systems requested that Bath allow her to present her companies printing services and to quote for the same. Permission was granted and referred to administrative staff.

COMMUNICATIONS FROM MAYOR:

Mayor opened discussion on the bagging of parking meters for the upcoming holiday season.

MOTION by Chapman/Weber that the meters on Washington Street from the Country Inn to the Rag Shop and Fairfax Street from Wilkes to Washington Street be available to individuals, families and businesses to decorate or be bagged from November 24, 2017 through January 1, 2018. Carried unan. November 25th is Small Business Saturday and all were encouraged to support local businesses.

FOR THE GOOD OF THE ORDER:

No report at this time.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported that Ron Janniney, Class II Water Operator, was hired by the Berkeley Springs Water Works to be the new Chief Water

Operator to start tentatively on December 18, 2017. Present Chief Water Operator, Terry Largent, will remain on staff to assist two days a week for the next six months.

The next Water Committee meeting will be Monday, December 4, 2017 at 4:30PM.

PUBLIC SAFETY:

Chairman Jackson requested that the Town purchase and install a sign reading "Reserved Parking for Sheriff" to be placed in front of the Morgan County Sheriff's Department.

MOTION to grant request by Jackson/Webster. Carried unan.

Chairman Jackson requested that the 2006 Berkeley Springs Police cruiser be donated to the Morgan County Sheriff's Reserves.

MOTION to grant request by Jackson/Weber. Carried unan.

CHIEF'S REPORT:

The Chief concurred with previous parking meter and Public Safety Committee decisions.

Danielle Swope reported that the Winter Fest Parade will be held on Saturday, December 2, 2017 at 5PM.

CLERK / RECORDER:

The office is continuing to accept applications for Town Clerk until November 22, 2017.

FINANCE

- Town of Bath Bills: \$22,427.50
Motion to Approve by: Swaim/Weber – Motion carried.
- Berkeley Springs Water Works Bills: \$7,358.96
Motion to Approve by: Swaim/Weber - Motion carried.
Next Finance Meeting: December 19, 2017, @ 8:30 AM

PUBLIC WORKS:

The snow equipment is being serviced and made ready for the winter season. The WV Department of Highways has sent communications on their plan to reconstruct the bridge on Independence Street.

ORDINANCE:

Chairman Webster and Council discussed the Hotel Occupancy Tax increase from 4% to 6% and the removal of the 30 day limit on the Occupancy Tax to be charged. Discussion was held on procedure.

MOTION by Swaim/Webster for the First Reading to amend Section 74-71 (a) from 4% to 6% tax to be charged and Section 74-71 (b) to remove the 30 day limit on the Town's ability to charge the hotel Occupancy Tax.

GRANT:

No report at this time.

TREE BOARD:

No report at this time.

CEMETERY:

Chairman Skinner reported the need to remove invasive species from Greenway Cemetery.

PLANNING COMMISSION:

Larry Lower reported that the next meeting's discussion will include ways that the Commission can assist the Town in implementing the Comprehensive Plan.

STREETSCAPE:

Chairman Lower reported on progress on the Phase IV of the Streetscape Project and the coordination with the Berkeley Springs State Park Project. Councilman Chapman reported that he hopes to have the rewrite of the Sidewalk Pamphlet ready for Council review by the next meeting.

PARKS & RECREATION:

Town of Bath has board vacancies.

TRAIN DEPOT:

No report at this time.

RAIL/TRAIL:

The Voluntary Remediation Program application has been updated and re-submitted.

LANDMARK COMMISSION:

Reappointments of members will be discussed at the next Town of Bath meeting.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Meeks

Recorder Suzanne Webster

TOWN OF BATH COUNCIL MEETING

Tuesday, November 7, 2017

CALL TO ORDER: @ 5:30 PM by Mayor

ROLLCALL:

Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X)

Elizabeth Skinner(X) Andy Swaim (A) Rick Weber (A)

QUORUM PRESENT: YES

REVIEW OF MINUTES: October 17, 2017: Approved by common consent.

PERSONS BEFORE COUNCIL:

Town of Bath resident Peggy Miller expressed safety and economic concerns over the Homeless Coalition's program to use multiple churches in and around Town to accommodate the homeless during December 2017 and January and February 2018. Referred to Ordinance Committee with the Mayor and Recorder to arrange a meeting with the Coalition.

Diane LaVelle explained the need of Council to create an ordinance to abandon and transfer part of Union Street as the Town and Ms. LaVelle have agreed upon. Referred to Ordinance Committee to take the issue to the Town Attorney.

Ye Town of Bath DAR President Linda McGraw asked Council to approve a Proclamation honoring National American Indian Heritage Month.

Councilwoman Skinner expressed concern over the rejection by Council of a Proclamation from Governor Justice honoring Christian Heritage Month at the last meeting. Discussion was held.

MOTION to approve the Proclamation – Chapman/Jackson – carried.

Barb Wolfe encouraged Council to approve the sidewalk usage and maintenance pamphlet due to winter's approach. She also expressed displeasure in an article that appeared in the Martinsburg Journal.

COMMUNICATIONS FROM MAYOR:

The Mayor reported on progress with Phase IV of the Streetscape Project and the Depot Interior Design Project.

FOR THE GOOD OF THE ORDER:

No report at this time.

COMMITTEE REPORTS

WATER WORKS:

Chairman Chapman reported on the progress of choosing a Chief Water

Poll vote: Swaim, Webster, Weber, Chapman and Jackson voted in favor. Skinner voted nay.

Webster hopes to receive the opinions on other ordinances from Town Attorney Richard Gay by the next meeting.

BATH DEVELOPMENT AUTHORITY:

In the absence of President Martin Recorder, Webster reported that the next meeting of the Bath Development Authority will be held at the Morgan County Courthouse in the County Commission Room at 4:30PM on Tuesday, December 12, 2017.

The BDA will send members to the ON TRAC application meeting to be held in Sutton, WV on December 6, 2017.

GRANT:

Chairman Skinner reported that the grant had been received for \$5,000 to repair the road on the south side of the new section of Greenway Cemetery.

TREE BOARD:

The Tree Board may move it's meetings to Town Hall since the WVU Extension Agency is moving it's office to the Pines Opportunity Center. The next meeting will be Wednesday, December 13, 2017 at 1PM.

CEMETERY:

Chairman Skinner reported that the Cemetery board is appreciative of the assistance it has received from the Warm Springs Water Shed Association in acquiring grants and improvements to the cemetery.

PLANNING COMMISSION:

No report at this time.

STREETSCAPE:

Councilman Chapman reported that the Sidewalk Maintenance Pamphlet had been distributed to the Council for their review. Discussion was held on aspects of the pamphlet and emphasis was placed on using Zero Ice Melt to preserve and protect the new sidewalks in town.

MOTION by Chapman/Weber to approve the dispersal of the Sidewalk Maintenance Pamphlet. Carried unan. 100 will be printed.

PARKS & RECREATION:

Town of Bath has board vacancies.

TRAIN DEPOT:

The Mayor reported that the Depot Committee Chairman John McCracken is working on an agreement with the WV DOH and the Town to move forward.

RAIL/TRAIL:

No report at this time

LANDMARK COMMISSION;

Jeanne Mozier reported that the BAD to BETTER Building Program surveys were completed and have been sent to West Virginia University along with the ordinance amendment proposals.

PUBLIC COMMENT:

Matt Stotler, President of the Berkeley Springs Volunteer Fire Department, informed Council that the Town does not have the ability to restrict panhandling in the streets of Town. President Stotler requested to be placed on the next Town agenda.

MOTION TO ADJOURN: Webster, Motion Carried

Attest:

Mayor Scott E. Webb

Recorder Susan Webster