

TOWN OF BATH COUNCIL MEETING

Tuesday, July 13, 2021

1. CALL TO ORDER: @ 5:30pm by Mayor
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Chris Chapman (A) Rose Jackson (X) Elizabeth Skinner (X) Greg Forney (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of June 15, 2021 and the 2021 Election Board of Canvas on June 14, 2021 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: No one at this time.
5. COMMUNICATIONS FROM MAYOR: The Mayor and Council welcomed newly elected Councilman Greg Forney to the Town of Bath Council.
The West Virginia Conservation District 7-1-3U agreement which was tabled from the previous meeting was discussed. The Mayor's office will contact the Conservation District to request representatives appear at a Council meeting to explain the agreement. Until such time this agreement is set aside.
The next Council meeting date is set for July 27th as approved at the June 15th meeting. Council meetings in August will return to the first and third Tuesdays of that month.
Trump & Trump, L. C. has presented a letter explaining a conflict of interest possibility with this law firm representing the Estate of Richard Keefer in a wrongful death suit against the Town of Bath and the former Chief of Police. The letter requests that if the Town disregards the possibility of conflict in this matter that the Mayor sign the document presented portraying such decision. Discussion was held which included the Mayor's input from the Town's Attorney, Richard Gay.
MOTION: To authorize the Mayor to sign the document presented by Trump & Trump, L. C. releasing claim of conflict of interest in the aforementioned pending case –Skinner/Webster – Carried.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: The next meeting is August 4th. A meeting will be held on Jul 14th concerning a Jeep Parade event.
2. PARKS & REC: The next meeting is July 21. No updates at this time.
3. PLANNING COMMISSION: No report at this time. The Mayor requested that the Commission regroup and those interested in serving to come forward.
4. RAIL/TRAIL: The next meeting will be July 28th. Pete Brown reported on advances in the project and has presented the Town office with detailed reports.
5. STREETSCAPE: The next meeting is July 15th. The committee asked District 5 for the end date of the current work on N. Washington Street. The grant request for Phase 4B has been submitted. A detailed report has been presented to the Town office. The Streetscape Committee is working with the Berkeley Springs State Park project.
6. TRAIN DEPOT: Recorder Webster will contact Senators Trump and Blair, Del. Miller and the Governor's Office representative Daryl Cowles on the Town Council's

- frustration with the lack of progress with the Depot Interior Rehabilitation Project.
7. LANDMARK COMMISSION: Discussion was held concerning the Town Office not receiving information and documents in regards to the Commission and the Historic District Resurvey grant and project.
 8. CLERK/RECORDER REPORT: Clerk Corrick presented a Budget Revision Resolution for Fiscal Year 2021-2022 which adjusts the Coal Severance Tax Fund from \$16,574 to \$15,845.
MOTION: To approve the Resolution to authorize the Budget Revision 2021-2022 as presented – Webster/Jackson – Poll vote carried unanimously.
 9. FINANCE: Councilman Weber presented the following bills for approval:
 - (A) Town of Bath \$44,959.44- Motion to approve: Weber/Chapman –Carried.
 - (B) BSWW \$20,063.71- Motion to approve: Weber/Chapman- Carried.
 - (C) Greenway Cemetery \$6,165.00- Motion to approve: Weber/Chapman- Carried.
 - (D) Rails/Trails \$581.28- Motion to approve: Weber/Chapman- Carried.
 - (E) Hotel Motel Funds \$20,745.76- Motion to approve: Weber/Chapman- Carried.
 10. TREE BOARD: The next meeting is July 28th. It was noted that a Councilman must be appointed to this Board.
 11. GRANT: Councilwoman Skinner expressed interest in joining with Morgan County on grant opportunities and that the committee could assist the Clerk with managing grants.
 12. PUBLIC SAFETY: The next meeting is July 27th. No report at this time.
 - (A)Permits: No report at this time.
 - (B)Police Report: No report at this time.
 13. PUBLIC WORKS: Chairman Weber reported that the sidewalk issue on S. Green Street is the adjoining property owner’s responsibility. Seasonal work continues.
 14. ORDINANCE: Chairwoman Webster reported that the Town Attorney confirmed that Chapter 42 Historic Preservation must be amended to conform to WV Code provisions. The second reading of 2021-05-01 Demolition of Non-emergency Structures was brought forward.
MOTION: To approve 2021-05-01 for Second Reading – Webster/Chapman- Carried.
Webster advised Council that 2021-03-01 must be rescinded before a corrected ordinance can be approved.
MOTION: To approve rescinding 2021-03-01 for First Reading- Webster/Weber-Carried.
An Ordinance 2021-07-01 was brought forward to correct 2021-03-01.
MOTION: To approve 2021-07-01 was presented for First Reading- Webster/Weber.
At this time a point of order was raised by Councilman Chapman in that this ordinance had not been properly noticed on the agenda for First Reading.
MOTION: To rescind 2021-07-01 for First Reading- Webster/Weber- Carried.
It was recommended that 2021-07-01 be placed on the next Council meeting agenda.
Chairman Webster advised Council that two meeting have been arranged with the Morgan County Planner and Administrator to discuss how their office processes building permits.
 15. CEMETERY: No report at this time.
 16. WATER WORKS: Chairman Chapman reported on the Committee’s meeting with Commission Sean Forney on the exploration of a Town/County water line extension

project. Commissioner Forney will be asked to address Council on the matter.
Phase IV Water Line Replacement Project is moving forward with Circuit Court filings
concerning the release of necessary ROWs.
17.MOTION TO ADJOURN: By Common Consent.

Attest:

Mayor Scott E. Muck

Recorder Serena Webster