

# TOWN OF BATH COUNCIL MEETING

Tuesday, July 27, 2021

1. CALL TO ORDER: @ 5:30pm by Mayor
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (A) Elizabeth Skinner (X) Greg Forney (X) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of July 13, 2021 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Lin Dunham, Jim Michael and Ed Martin appeared before Council representing the West Virginia Conservation Agency to explain and answer questions concerning the 7-1-3U Agreement concerning stream restoration, stabilization and blockage removal work.  
MOTION: To authorize the Mayor to sign the 7-1-3U Agreement between the WV Conservation Agency and the Town of Bath- Webster/Weber- Carried.  
Morgan County Commissioner Sean Forney requested that the Town of Bath consider a Request for Proposal (RFP) for the study of a waterline extension to Tabor Road on Route 522 South. Council concerns included the need for no rate increase, development within the current district area and the inclusion of a second source of water study.  
MOTION: To approve moving forward with a Request for Proposal including all Council considerations to study a BSWW waterline extension to Tabor Road in Morgan County- Chapman/Webster- Carried.  
President of the Berkeley Springs State Park Foundation (BSSPF) Pete Gordon presented a Sponsorship Agreement to Council, the purpose of which is to establish the conditions and terms for the support by the Town for the Foundation's State Project U333-BER/SP-1.00. The Town's responsibility in such is administrative in nature.  
MOTION: To authorize the Mayor to sign the Sponsorship Agreement with the BSSPF concerning State Project U333-BER/SP-1.00 – Weber/Chapman- Carried.  
MOTION: To approve Town of Bath Resolution 2021-07-01 further solidifying the Town's responsibility and support of the BSSPF construction improvement project U333-BER/SP-1.00- Webster/Chapman- Carried.
5. COMMUNICATIONS FROM MAYOR: The Mayor presented committee assignments (see attached) as previously accepted by Council. He created an Ad Hoc Committee to study the use of the American Rescue Plan funds (\$250,000) received by the Town. This committee includes Councilmen Chapman and Forney and Chief of Police Link.  
Councilwoman Jackson previously expressed interest in representing the Town on Travel Berkeley Springs and the Chamber of Commerce. Councilwoman Skinner asked to be appointed to the Bath Tree Board. Councilman Chapman offered to serve as the Town's representative on the Bath Development Authority. These requests were honored by the Mayor and Council through common consent.

## COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY: The next meeting is August 4<sup>th</sup>.
2. PARKS & REC: The next meeting is August 18. The MC Back to School Bash will be held on August 21 at the Warm Springs Middle School.
3. PLANNING COMMISSION: No report at this time.
4. RAIL/TRAIL: The next meeting will be July 28<sup>th</sup>. Progress report was submitted.
5. STREETScape: The next meeting is August 19. Progress report was submitted. The Committee will work on plantings on the N. Washington Street area of the project.
6. TRAIN DEPOT: Recorder Webster read the letter from Senator Trump to the WV DOT encouraging action to complete the interior rehabilitation of the Depot.
7. LANDMARK COMMISSION: No report at this time.
8. CLERK/RECORDER REPORT: Clerk Corrick has adjusted the Unassigned Fund line item balance of the submitted 2021 Town of Bath Budget by \$2,242.00 to reflect the requirement that this item be exactly represented to the WV Auditor's Office.
9. FINANCE: Councilman Weber presented the following bills for approval:
  - (A) Town of Bath \$10,889.46- Motion to approve: Weber/Webster –Carried.
  - (B) BSWW \$11,712.25- Motion to approve: Weber/Webster- Carried.
  - (C) Greenway Cemetery \$3,245.00- Motion to approve: Weber/Webster- Carried.
10. TREE BOARD: The next meeting is July 28<sup>th</sup>.
11. GRANT: Councilman Forney will set meeting times and apprise Council of such.
12. PUBLIC SAFETY: The next meeting is August 28. 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 has not been addressed by the adjoining property owner. New paving projects are being considered.
14. ORDINANCE: Recorder Webster reported that the Town Attorney confirmed that Chapter 42 Historic Preservation must be amended to conform to WV Code provisions. She provided Council with the Chapter 42 establishing ordinance for reference assistance. Webster advised Council that 2021-03-01 must be rescinded before a corrected ordinance can be approved.

MOTION: To approve rescinding 2021-03-01 Second Reading- Webster/Weber-Carried.  
Ordinance 2021-07-01 was brought forward to replace 2021-03-01.  
MOTION: To approve 2021-07-01 for First Reading- Webster/Skinner- Carried.

Recorder Webster reported on the meeting of interested Council members and staff with the Morgan County Administrator and Planner concerning building permitting issues. Options suggested included the Town joining with the MC Planning Commission or adding permitting requirements and fees to the Town's existing Subdivision Ordinance. Professional legal guidance was strongly recommended. Council discussed not issuing building permits as an option. Webster cautioned the Ordinance Committee against accepting prewritten ordinances from special interest groups without independent scrutiny.

15. CEMETERY: No report at this time.
16. WATER WORKS: The next meeting is August 2. No further report.
17. PUBLIC COMMENT: Mayor Smith of Hancock, Maryland announced the "National Night Out" event being held in Hancock on August 3<sup>rd</sup> at 6pm and invited all. He explained water service issues in Hancock and related projects.
18. ADJOURN: By Common Consent.

Attest:

Mayor Scott E. Smith

Recorder Susan J. Webster