

TOWN OF BATH COUNCIL MEETING

Tuesday, October 4, 2022

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 (A) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of September 20, 2022 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Rebecca MacLeod, representing the Warm Springs Water Shed Association presented information concerning the Watershed Protection and Flood Prevention Operations Program. Council concurred that this work is of great value to the Town and that working in conjunction with the Morgan County Commission and the Eastern Panhandle Conservation District would be the best method to carry out any Town responsibilities as a Local Sponsor for a potential project. Jim Michael spoke in support of the endeavor.
MOTION: To authorize a letter (see attached) to be sent to the Natural Resources Conservation Service requesting planning assistance for potential Watershed Program in the Warm Springs Watershed- Webster/Jackson- Carried.
5. COMMUNICATION FROM MAYOR: Discussion was held on the location of the Mercer Street Mariachi Band event on Friday, October 7. It was agreed that the best area was the block between Independence and Union Streets. The Apple Butter Festival is quickly approaching and success was hoped for by all. The annual Zombie walk will be October 29 between 11-3pm.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): No report at this time.
2. PARKS & REC: The next meeting is October 19, 2022. Those interested in serving on this board are encouraged to submit a volunteer application.
3. PLANNING COMMISSION: The next meeting is October 6, 2022. President Landon again requested that Council members contribute their thoughts on leadership assignments. The Commission hopes to discuss the BSWW plans and needs with them at the next meeting.
4. RAIL/TRAIL: The progress report has been submitted to the Town office (see attached). Councilman Weber explained the situation with the bricks from the Fairfax Street project which are presently stored at the Depot lot. It is anticipated that they will be useful in the construction of the Trail Head Project.
5. STREETSCAPE: Committee Co-Chair Pete Brown has submitted reports to the Town office (see attached).
6. TRAIN DEPOT: The interior rehab construction of the Depot continues. Recorder Webster is developing work schedules for the parking lot during the Festival. Volunteers are still needed for the Depot lot parking. She and the Town Clerk hope to arrange an Owner's Meeting to clarify the financial status.

7. LANDMARK COMMISSION (HLC): Recorder Webster reported that the HLC met on October 27 with discussion of organizational needs, goals and objectives of the group. They will meet in October with the WV SHPO.
8. CLERK/RECORDER REPORT: Recorder Webster reminded Council of the WV Legislative Interim meeting that is being held at Cacapon State Park November 12 through 16, 2022. Clerk Corrick attended Clerk Training held by the WV State Auditor's Office.
9. FINANCE: Chairwoman Webster presented the following bills for approval.
 - (a) Town of Bath \$14,832,39- Motion to approve: Weber/Jackson- Carried
 - (b) BSWW \$10,918.07 – Motion to approve: Weber/Jackson- Carried
 - (c) Cemetery \$4,200.00 – Motion to approve: Weber/Jackson- Carried
10. TREE BOARD: The next meeting is October 19. Member Skinner informed Council of the Board's work and interest in having the Tree Ordinance updated.
11. GRANT: No report at this time.
12. PUBLIC SAFETY: Chief Link introduced new Patrolman Nicholas Queen. The Chief informed all that the Apple Butter parade will end at the Legion this year.
13. CEMETERY: Chairman Skinner in continuing work on cemetery records. Grass mowing is over for the season.
14. PUBLIC WORKS: Chairman Weber reported that a hazardous tree has been trimmed at the corner of Union and Wilkes. Winter equipment is being readied for the upcoming season. Paving for 2023 will include South Green Street. Appreciation was expressed to the Labor Crew for their help in preparing the Depot and surrounding lot and area for the Apple Butter Festival.
15. ORDINANCE: Next meeting is October 4 at 4:30pm. No report at this time.
16. BERKELEY SPRINGS WATER WORKS: Phase IV Water Line Replacement is proceeding. The BSWW is anticipating waivers for the backflow prevention and personnel violations recently received.
17. PUBLIC COMMENT: Charlie Curia inquired about business owner parking during the festival. The Council responded that business owner parking had never been arranged by the Town.
17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor Scott C. Marks

Recorder Suzanne Webster

Mayor
Scott Merki



Council Members
Elizabeth Skinner
Rick Weber
Chris Chapman
Rose Jackson
Greg Forney

Recorder
Susan J. Webster

Town of Bath

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

October 7, 2022

State Conservationist Jon Bourdon
Natural Resources Conservation Service 1550 Earl Core Road, Suite 200
Morgantown, WV 26505

Dear State Conservationist Bourdon:

The Town of Bath requests planning assistance from NRCS through the Public Law (PL) 78-534 or PL 83- 566 Watershed Program for a potential project in Morgan County, West Virginia in the Warm Springs Watershed (HUC#020700040503) of the Potomac River Basin. This request is supported by a preliminary information feasibility report that was completed by NRCS in August 2022.

The preliminary information feasibility report for this watershed supports the potential for a watershed project for the purpose of Watershed Protection and Flood Prevention, which could provide substantial benefits to our community and the general public. By this letter and the accompanying SF-424 Application for Federal Assistance, we indicate our willingness to be a Local Sponsor for the planning phase. We anticipate that we will work with other local units of government, including the Eastern Panhandle Conservation District and the Morgan County Commission effort, to carry out our responsibilities as a Local Sponsor for a potential project.

We understand that undertaking a watershed planning effort is a serious commitment of time, resources, and a substantial investment of federal funds. We understand that there is no cost to the Local Sponsor for planning assistance. However, as the Local Sponsor, we will take an active role in the planning and work cooperatively with NRCS and our partners.

If you have questions, please don't hesitate to contact Sharron Corrick by phone 304-258-1102 or by email Townofbath@wvdsi.net. We understand that NRCS will keep us informed as to the status of this request.

Sincerely,

Scott Merki, Mayor
Town of Bath

**Status of Streetscape, State Park and NBRT for Town Council
Monday October 3, 2022**

STREETSCAPE

Phase V: Design Contract:

- DOH is looking for a teleconference - end of October - to discuss Phase V Design work. Told them (and Thrasher) that we did not yet have a final Task Order Agreement (contract) and were still waiting for Thrasher to update and sign that Agreement. Thrasher has our comments/changes.
- DOH expects an Authorization from FHWA for the design Grant funds soon. After that comes the DOH Notice to Proceed.

Phase VI (FY22 TA Grant Application) – Nothing new to report.

NBRT ✓

Parcel 1A:

- HDR informed us that DOH is reviewing their corrected NBRT drawings (after we sent the corrections)
- No further action on this until DOH has reviewed these drawings.
- Once these drawings are accepted, they must be added to the approved NPDES permit.

Berkeley Springs State Park Grant & Project

Status:

- The DOH goal is to have issued permits by October 15, 2022 so that they may submit to Contract Administration by October 28, 2022 for the preparation of the construction solicitation.
- Only completion of the 404 Permit remains prior to being able to send the package to Contracts Administration. Thrasher has this action item to complete.

Pete Brown
571-213-3687