

# TOWN OF BATH COUNCIL MEETING

June 21, 2023

1. CALL TO ORDER: @ 5:30pm by Mayor.
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Chris Chapman (X) Rose Jackson (X) Elizabeth Skinner (X) Greg Forney (A) Rick Weber (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of June 6, 2023 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: None at this time.
5. COMMUNICATION FROM MAYOR: The Mayor announced that the 2023 Town of Bath Municipal Election had been canvassed and certified (attached) as prescribed by WV Code. The swearing in of the new Council will occur on June 29, 2023 at 4:00pm in Town Hall.  
Due to the Independence Day Holiday the regular July 2023 Council meetings will be held on July 11 and July 25.  
Gubernatorial candidate Rashida Yost will walk through Bath on September 23, 2023. Announcement is attached.  
The Local Government Advisory Committee is hosting Wandering West Virginia Waterways (attached) on June 30, 2023.  
Morgan Arts Council will begin their Friday evening summer live music performances June 23 at the Ice House.  
Morgan Arts Council will begin their Saturday evening summer concert series on July 8 in the Berkeley Springs State Park.  
The Mayor acknowledged the service of four Council members for their years of service to Bath. Councilors Weber, Chapman, Jackson and Forney did not run in the recently held election. Appreciation was shown by all in attendance.

## COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): The next meeting is July 7.
2. PARKS & REC: No report at this time.
3. PLANNING COMMISSION (PC): President Landon presented the Commission's Interim Proposals for the Town of Bath Comprehensive Plan (attached) for future Council meeting agenda structure and organizational representation between Town and County governmental and private organizations. The proposal will be reviewed.
4. RAIL/TRAIL: The progress report has been submitted to the Town office (attached). Significant progress has been made recently with the WV DOH on this TA grant project. There is a press event scheduled on June 29<sup>th</sup> in Ranson, WV to announce organizations which have received the 2023 Green Streets, Green jobs, Green Towns grant awards. Rebecca MacLeod submitted an application for this grant for Parcel 1B storm water management. She and Recorder Webster plan to attend the event.
5. STREETSCAPE: Committee Co-Chair Pete Brown has submitted reports to the Town office (attached).

6. TRAIN DEPOT: Chairman Webster has set a meeting with Region 9 Planning & Development on June 26 to discuss the process of creating sustainable community use of the Depot and how Region 9 can assist.
7. LANDMARK COMMISSION (HLC): The next meeting is August 4, 2023.
8. CLERK/RECORDER REPORT: Clerk Corrick confirmed that the Bath Election, Canvass and Certification thereof had been completed without issue. Gratitude was expressed for the Poll Workers, Counting Board and all who assisted with the process.
9. FINANCE: Chairwoman Webster delivered the following bills for approval.
  - (a) Town of Bath \$4,123.89- Motion to approve: Weber/Chapman- Carried
  - (b) BSWW \$57,124.65 – Motion to approve: Weber/Chapman- Carried
  - (c) Cemetery \$3,690.00- Motion to approve: Weber/Chapman-Carried
  - (d) Depot \$2,563.86- Motion to approve: Weber/Chapman- Carried
  - (e) Tree Board \$11,388.00- Motion to approve: Weber/Chapman- Carried
10. TREE BOARD: Councilwoman Skinner reported that the Tree Survey of the Bath Historic District and the three Town owned cemeteries has been completed.
11. GRANT: No report at this time.
12. PUBLIC SAFETY: Chief Carper reported that the position of Police Administrative Specialist has been filled by Sandra Venuto. She has already proven to be of great assistance to the Department. The Chief has decommissioned the 2012 Dodge Charger. A 2018 Ford Explorer has been purchased and is being readied for service.
13. CEMETERY: Chairman Skinner advised that since there were no bids for the mausoleum repair project that the Request for Proposal is being rewritten to reflect alternate approaches to the work. The hope is to stay under budget. Seasonal work is underway.
14. PUBLIC WORKS: Chairman Weber advised that the Labor Crew is fully staffed with seasonal tasks being addressed.
15. ORDINANCE: No report at this time.
16. BSWW: Chairman Chapman presented the lease renewal document with Morgan Wireless for placement of their equipment on the Fairview Drive water tower. The renewal term is from July 1, 2023 until June 30, 2025. The lease had no changes in stipulations other than the monthly lease payment going from \$115.76 to \$121.55  
 MOTION: To authorize the Mayor to sign the lease renewal with Morgan Wireless as presented- Chapman/Weber- Carried  
 The next meeting is June 26 with a report from Thrasher Engineering on the final touch-up work on Phase IV Water Line Repair and Replacement. The Mayor requested a complete walk through of the project.
17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor *Scott E. Mac*

Recorder *[Signature]*

**TOWN OF BATH**  
**2023 ELECTION CERTIFICATION**  
Wednesday, June 21, 2023

1. CALL TO ORDER: By Mayor at 4:30pm.
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Beth Skinner (X) Greg Forney (A) Chris Chapman (X) Rick Weber (X) Rose Jackson (A) Quorum – Yes
3. Mayor Merki opened the meeting of the Certification for the Town of Bath Municipal Election of June 13, 2023. He informed Council that there had been no submittals to contest the Board of Canvass results of June 19, 2023.  
MOTION: To certify the Town of Bath Municipal Election results as presented by the Board of Canvass- Webster/Skinner- Carried

Results of the 2023 Town of Bath Municipal Election are certified as follows:

Mayor  
Scott Merki                      72

Recorder  
Susan Webster                      69

Council  
Thomas (Tom) Hall              55  
David O'Connell                39  
Bob Emerick                      23  
Greg Schene                      54  
Elizabeth Skinner              60  
Mary Lynn Hickey              51  
Rob Campbell                    14  
Rebecca MacLeod              51  
Joseph Giles                     7

6. MOTION TO ADJOURN: By Common consent.

Attest:

Mayor Scott E. Merki Recorder Susan Webster

I work in the office with Governor Candidate Rashida Yost. Mrs Yost resides in Berkeley County along with owning 2 daycare centers there also . We were looking to do a public walk where anyone and everyone is welcome to join us. We will be holding signs promoting her platform of Children & Families along with campaign signs.

The reason for the mid point location is to have a container with bottles of water for everyone to be able to re hydrate themselves. At the ending point we will a table set up with bottles of water along with a few refreshments. For the people that will be walking there will be a few drawings for prizes.

**When:** Saturday September 23<sup>rd</sup>

**Purpose:** To show support of Children & Families at the same time to help give recognition to her campaign showing everyone that she is running for Governor of West Virginia

**Gathering Time:** 8:30am

**Start Time:** 9am

**End Time:** 11am

**Starting Location:** Berkeley Springs State Park

**Mid Point Location:** corner of N Washington St & Union St

**Ending Location:** Berkeley Springs State Park

**Contact:** Tina Dorsey 304-261-3736 Tdorsey@yost4governor.org  
2009 Professional Ct Martinsburg, WV 25401



Region 9

May 1, 2023

Dear Local Elected Official,

On behalf of the West Virginia delegation of the Local Government Advisory Committee to the Chesapeake Executive Council (LGAC), we cordially invite you, a local elected official, to join us on our Wandering West Virginia's Waterways Walking Tour, an afternoon peer-to-peer learning exchange focused on exploring the economic impacts of green infrastructure.

**When:** Friday, June 30, 2023  
11:00am - 4:00pm

**Where:** Meeting begins at Morgan Arts Council's Ice House, 138 Independence St, Berkeley Springs for lunch and discussion. Tour continues through Berkeley Springs Green Infrastructure Projects with the Streetscape Committee and Warm Springs Watershed Association

**Who:** Local elected officials who are passionate about helping their communities.

**Why:** This tour is an opportunity for you to share your local priorities with other elected officials and learn about the priorities of your peers.

**Cost: There is no cost to you.** The lunch and tour will be provided for **free**. We simply ask for a few hours of your time.

The tour consists of invited local elected officials. We will have an open discussion about the challenges **YOUR** community faces with flood control and green infrastructure. All participants will have an opportunity to share examples of successes and obstacles they have faced. By elevating local issues and concerns to state leaders, including Governor Jim Justice, LGAC is a strong and trusted voice for local governments within the Chesapeake Bay Program.

To RSVP, please fill **out this form**. If you have any questions, please contact Patti Bohnsack, Capacity Building Projects Assistant at [pbohnsack@allianceforthebay.org](mailto:pbohnsack@allianceforthebay.org).

Sincerely,

*James R. Barnhart*

**James Barnhart**  
County Commissioner  
Berkeley County



The Local Government Advisory Committee is pleased to host

● Friday, June 30, 2023

11:00 - 4:00



● **Wandering West Virginia's  
Waterways**

**Lunch and Tour are Free of Charge**

**JOIN US ON A TOUR OF BERKELEY SPRINGS TO DISCOVER THE ECONOMIC  
BENEFITS OF GREEN INFRASTRUCTURE**

Experience a day of learning, connecting, and sharing priorities with Region 8 & 9 elected officials! Start with lunch at the Morgan Arts Council's Ice House, take a walking tour of the downtown streetscape, and stroll through Widmeyer Elementary School's wetlands and garden.

Learn about flood control and beautification improvements using green infrastructure that could help your community.

*Connect with personnel from the Environmental Finance Center to discover new funding opportunities*

Click [HERE](#) to Register. If you have any questions, please email [pbohnsack@allianceforthebay.org](mailto:pbohnsack@allianceforthebay.org)



## Wandering West Virginia's Waterways Itinerary

Friday, June 30, 2023

- 11:00 am **Meet at Morgan Art's Council Ice House**  
*138 Independence St, Berkeley Springs, WV 25411*
- Welcome - Mayor Scott Merki
  - Overview of Tour - County Commissioner James Barnhart
  - Accessing Federal Funding for Water Infrastructure - Natalia Sanchez, Environmental Finance Center
- 12:00 pm **Lunch - Catered by Charlotte's Cafe'**
- 1:00 pm **Walking Tour**  
*Town of Bath Streetscape Committee*
- N. Washington Street in front of the Morgan County Courthouse
  - Congress Street rain garden
  - Train depot
- 2:30 pm **Drive to Widmyer Elementary School & Rain Garden at Greenway Cemetery**
- 2:45 pm **Walking Tour**  
*Warm Springs Watershed Association*
- Widmyer Elementary School Wetlands
  - The rain garden at Greenway Cemetery
- 4:00 pm **Depart**





# **Town of Bath Planning Commission**

## **Interim Proposals for Town of Bath Comprehensive Plan**

Introduction. The Town of Bath Planning Commission is responsible for writing the 2027 Town of Bath Comprehensive Plan. During our work, we analyze potential options that could be enacted by the Town that contribute to taking care of citizens and improving economic opportunities. We propose the following topics for consideration to the newly elected Town Council to improve the governance of the Town of Bath to these ends. These recommendations are relatively simple and inexpensive to implement.

### **1. Topic: Expand Town Representation at Stakeholder Forums**

**Discussion:** The Town of Bath relies on the efforts of various external organizations to meet the needs of the citizens and promote economic development. These entities make decisions that have direct impact on the authorities and responsibilities of the Town government, but for which we have little, if any official representation or influence. The Planning Commission has determined that there are significant gaps in coordination between these groups and the Town of Bath Government.

These organizations include: Berkeley Springs Chamber of Commerce, Morgan County Economic Development Association (EDA), Morgan County Council, Morgan County Planning Commission, Eastern Panhandle Regional Planning and Development Council (Region 9), Warm Springs Public Service District, and Morgan County School District.

### **Recommendations:**

Assign town council members or other individuals to represent the Town of Bath equities at the above listed forums.

### **2. Topic: Monthly Committee Reporting**

**Discussion:** The Town of Bath requires the complimentary efforts of various internal and external committees and volunteer groups that contribute to the well being of the community. Without routine communication between the committees and the Council, there is significant the risk of misalignment with the Town of Bath goals and priorities. Sixteen Committees are currently listed to provide reports at each twice monthly Town Council Meeting, but most do not attend or provide information to the Town Council.

**Recommendation:** Reduce most monthly "Committee and Board Reports" from two to one for most committees while adding the committee reports listed above. Require each committee representative to provide a report only once each month, unless the group only meets quarterly. The Finance Chair, Clerk/Reporter and Morgan County Council representative would report at each Town Council Meeting.



## Town of Bath Planning Commission Interim Proposals for Town of Bath Comprehensive Plan

2. Clerk/Recorder		1/2	Town
3. Morgan County Council	<i>new</i>	1/2	Stakeholder
4. Bath Development Authority		1	Town
5. Town Planning Commission		1	Town
6. Streetscape		1	Spec-Proj
7. Train Depot		1	Spec-Proj
8. Grant Committee		1	Town
9. Public Works		1	Town
10. Ordnance		1	Town
11. Travel Berkeley Springs	<i>new</i>	1	Stakeholder
12. Morgan County Council	<i>new</i>	1	Stakeholder
13. Morgan County Planning Commission	<i>new</i>	1	Stakeholder
14. Morgan County Economic Development Association (EDA)	<i>new</i>	1	Stakeholder
15. Historic Landmark		Qtr	Town

### Proposed Second Monthly Town Hall Meeting Reports

1. Finance		1/2	Town
2. Clerk/Recorder		1/2	Town
3. Morgan County Council	<i>new</i>	1/2	Stakeholder
4. Morgan County Parks and Recreation		2	Stakeholder
5. Rail Trail		2	Spec-Proj
6. Tree Board		2	Spec-Proj
7. Public Safety		2	Town
8. Water Works		2	Town
9. Cemetery		2	Town
10. Berkeley Springs Chamber of Commerce	<i>new</i>	2	Stakeholder
11. Morgan County School District.	<i>new</i>	2	Stakeholder
12. Warm Springs Public Service District	<i>new</i>	2	Stakeholder
13. Eastern Panhandle Regional Planning and Development Council (Region 9)	<i>new</i>	Qtr	Stakeholder

2023  
Green Streets,  
Green Jobs,  
Green Towns



June 29

Jefferson Medical Center  
Ranson, WV



## PRESS EVENT

*When:* Thursday, June 29, 2023

*Time:* 10:30 am

*Where:* Jefferson Medical Center  
300 S Preston St, Ranson, WV 25438

*What:* **Celebration of 36 awardees  
receiving almost \$2 million of  
funding for helping communities:**

- Increase Green Spaces in urban areas
- Reduce storm water runoff
- Improve the health of local waterways and the Chesapeake Bay
- Enhance quality of life and livability

Please RSVP to Megan Sennett  
[msennett@cbtrust.org](mailto:msennett@cbtrust.org)



Green Streets,  
Green Jobs,  
Green Towns



**Chesapeake  
Bay Trust**

**Megan V. Sennett**  
*Communications & Development Officer*  
Chesapeake Bay Trust  
108 Severn Avenue  
Annapolis, MD 21403  
(410) 974-2941 x 129  
[msennett@cbtrust.org](mailto:msennett@cbtrust.org)

TOWN OF BATH

EXPENDITURES AND ENCUMBRANCES

BATCH DATE	YEAR:	2023			
	6/21/2023				
VENDOR ACCT #	AMOUNT	DESCRIPTION	Budget Balance		
1 700 341 00	\$ 1,581.50	BSPD - Body Cams	\$ 3,161.25		
1 417 000 00	\$ 90.00	55 Congress St Advice	\$ 207.75		
1 438 000 00	\$ 133.20	Printing Ballots	\$ 2,635.00		
1 416 000 00	\$ 100.00	Judge Fee June 2023 (no receipt)	\$ 100.00		
1 440 457 01	\$ 81.46	Train Depot Lights	\$ 235.88		
1 751 000 00	\$ 6.29	N. Washington St.	\$ 611.05		
1 751 000 00	\$ 5.25	204 N Washington St.	\$ 605.00		
1 751 000 00	\$ 72.29	Union Street	\$ 599.00		
1 800 343 00	\$ 540.00	Freightliner Step Repair	\$ 2,009.60		
1 700 343 00	\$ 62.70	Gas for truck pu	\$ 839.02		
1 700 345 00	\$ 150.00	Uniform Adjustments	\$ (3,138.90)		
	\$ 151.20	Employee paid dental/vision etc.			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 125.00	Election Day & Training			
1 438 000 00	\$ 25.00	Election Training			
	<b>Totals:</b>				
					\$4,123.89

6/21/2023

ACCT #	VENDOR	AMOUNT	DESCRIPTION	
7013	US BANK	\$375.89	BRADLEY DUCKWALL	400-650-800
1134	US BANK	\$1,587.51	RON JAININEY	400-650-800
9667	US BANK	\$2,367.89	MASTER ACCT	400-650-800
4157	US BANK	\$157.97	JASON POWELL	27543 400-650-800
	TOB	\$2,500.00	RENT/ADMIN	400-603/641-800
	RESERVE FOR DEBT	\$32,581.00	INCREASE PREM ADJ	400-125-300
	REPAIR & REPLACE	\$13,750.00		400-125-200
	DEPRECIATION ACCT	\$1,500.00		400-125-100
	TOB		PEIA	400-675-600
WV23-2128	MISS UTILITY	\$27.90	MESSAGES	400-675-600
30WECAC7YZU	HARTFORD	\$608.00	AUDIT WC	27542
	WVDHHR	\$100.00	TESTING	400-635-800
	GATES AUTOMOTIVE	\$538.67	2015 FORD REPAIR	
	MORGAN MESSENGER	\$576.00	CCR REPORT POSTING	
	TOB	\$287.88	BENEFITS	
INV#2330446043	PACE	\$124.60	TESTING	40-675-200
	MORGAN MESSENGER	\$41.34	<i>Subscription</i>	
		\$57,124.65		

GREENWAY

EXPENDITURES AND ENCUMBRANCES

		YEAR:	2023	
BATCH DATE	6/21/2023			
VENDOR	Pay To	AMOUNT	DESCRIPTION	
	AC&T	\$ 90.00	Porta Pot	
	Dustin Percy	\$ 1,800.00	Mowing 06/05/23 -06/11/23	
	Dustin Percy	\$ 1,800.00	Mowing 06/12/23 - 06/18/23	
	<b>TOTAL</b>	<b>\$3,690.00</b>		

Train Depot

EXPENDITURES AND ENCUMBRANCES

BATCH DATE	YEAR:	2023	DESCRIPTION
VENDOR ACCT #	VENDOR NAME	AMOUNT	DESCRIPTION
	Lantz Construction	\$ 2,563.86	payment #9 ( not covered by Grant)
	<b>TOTAL</b>	<b>\$ 2,563.86</b>	

TREE BOARD			
EXPENDITURES AND ENCUMBRANCES			
BATCH DATE	YEAR:	2023	
6/21/2023			
VENDOR ACCT #	VENDOR NAME	AMOUNT	DESCRIPTION
	Barlett Tree Experts	\$ 1,800.00	Software (grant funds)
	Barlett Tree Experts	\$ 9,588.00	Inventory for Software (grant funds)
	<b>TOTAL</b>	<b>\$ 11,388.00</b>	