

# TOWN OF BATH COUNCIL MEETING

January 2, 2024

1. ORDER: @ 5:30pm by Mayor.
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Elizabeth Skinner (X) Greg Schene (A) Rebecca MacLeod (X) Mary Lynn Hickey (X) Tom Hall (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of December 19, 2023 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: None at this time.
5. COMMUNICATION FROM MAYOR: The Mayor presented a letter (attached) written to our State representatives, Senator Trump and Delegate Miller, outlining the Council's concern regarding the WV Secretary of Transportation's response (attached) to Council's worry about speed limits in residential areas which are State maintained and the need for crosswalks at busy pedestrian intersections.  
MOTION: To approve the above-mentioned letter to the WV Secretary of Transportation to be sent as presented-Webster/Skinner- Carried

## COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): Next meeting is January 3, 2024.
2. PARKS & REC: No report at this time. The next meeting is January 17.
3. PLANNING COMMISSION (PC): The next meeting is January 11, with the Ordinance Committee in attendance. Recorder Webster has communicated with Michael Dougherty, WVU Extension Service concerning a meeting date with the Commission and other interested parties. Studies that Mr. Dougherty may provide would be helpful in the Bath Comprehensive Plan work.
4. RAIL/TRAIL (NBRT): The next meeting is January 21. The progress report has been submitted to the Town office (attached) by Co-Chair Pete Brown. The Committee will meet in the future to discuss how to move forward since the NBRT bids came in unreasonably high. Councilwoman MacLeod provided progress details on the Trail Head landscaping and is meeting with Nature Haven's Landscape Designer James Dillon.
5. STREETSCAPE: The progress report (attached) has been submitted by Co-Chair, Pete Brown.
6. TRAIN DEPOT: Chairman Webster is organizing interested parties for an initial meeting on January 17. The hope is to facilitate the development of the property for public use, education, recreation and economic development.
7. LANDMARK COMMISSION (HLC): Treasurer Ryan Rebant was present to update Council on the group's advancement in satisfying SHPO's requirements and requests made last October. This work will be instrumental for Bath retaining its Certified Local Government status. The HLC Annual Report has been submitted. Rebant is planning an HLC meeting on January 25. Rebant also asked that the Ordinance Committee consider amendments to the Bath building demolition code.

Council has received two applications for the vacancy on the HLC (attached). Discussion was held. All volunteers are encouraged to contribute to the HLC. MOTION: To appoint Ken Hoagland to the HLC-MacLeod/Hickey- Carried Recorder Webster presented all members of Council with 2024 calendars produced by the WV SHPO which includes a picture of a Town of Bath building.

8. CLERK/RECORDER REPORT: Clerk Corrick presented an Internal Budget Revision for Public Safety and Public Works.

MOTION: To approve the Internal Budget Revision for Public Safety and Public Works as presented- MacLeod/Hickey- Carried

9. FINANCE: Chairwoman Webster delivered the following bills for approval:

(a) Town of Bath \$2,563.66- Motion to approve: Webster/Hickey- Carried

(b) BSWW \$12,620.85 – Motion to approve: Webster/Skinner- Carried

10. TREE BOARD: Councilwoman MacLeod made Council aware that the Tree Board is looking into the health of the spruce in the Fairfax Green.

11. GRANT: The next meeting is January 8 at 4:30pm. Councilwoman MacLeod explained the USDA NRCS (attached) sponsorship requirements to Council. The Warm Springs Watershed must have the sponsorship of an affected political subdivision to move forward with the grant application. This can provide planning for soil conservation and flood prevention due to the new bypass construction.

MOTION: To approve acting as a sponsor for the Warm Springs Watershed's USDA/NRCS grant application and possible award- Hickey/Hall- Carried

12. PUBLIC SAFETY: The next meeting is Jan. 10 at 4pm. The BSPD 2024 magnet calendar was given to Council and work organizing it was much appreciated.

13. CEMETERY: The next meeting is January 23. Chairwoman Skinner will be applying for Hotel/Motel grant assistance from the Morgan County Commission for the installation and annual maintenance of the Civil War Trail interpretive signage for Union General Barstow's grave site in Greenway Cemetery.

14. PUBLIC WORKS: Next meeting is February 6. Chairwoman MacLeod reported that the Freight Liner is having problems. The first snow storm of the season is expected in days.

15. ORDINANCE: The next meeting is January 18. Committee member Hickey encouraged all to attend the next Ordinance Committee meeting as there are several important issues to be discussed. She is continuing work on the Bath employee handbook and is using Harper's Ferry and Shepherdstown handbooks as guides.

16. BSWW: The next meeting is January 3. Chairman Hall reported that leaks are being fixed, equipment and supplies are being inventoried and operations are being computerized for accuracy. The BSWW has bought the BSPD pickup truck for service use. The 34<sup>th</sup> Annual International Water Tasting will be in February.

17. MOTION TO ADJOURN: Approved by Common Consent.

Attest:

Mayor Scott E. MacLeod

Recorder S. Webster



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • (304) 558-3505

Alanna J. Keller, P.E.  
Deputy Secretary of Transportation  
Deputy Commissioner of Highways

Jimmy Wriston, P. E.  
Secretary of Transportation  
Commissioner of Highways

November 22, 2023

Chief of Police William Carper  
Berkeley Springs Police Department  
271 Wilkes Street  
Berkeley Springs, West Virginia 25411

Dear Chief Carper:

Thank you for your letter, dated November 9, 2023, regarding the pedestrian crossings on Washington Street (US 522), and the speed limit on Wilkes Street in Morgan County, to the West Virginia Division of Highways (WVDOH).

As Joe Pack, Chief Engineer for Operations, explained to Mayor Scott Merki during their prior phone conversation, there are great concerns regarding the pedestrian crossings that were removed. Since US 522 is a high-volume roadway with a large percentage of trucks, creating crosswalks where there are no controls such as a traffic signal or a "Stop" sign is not recommended without an engineering study. Adding markings without the installation of other measures may not improve safety for the pedestrian.

The history of the establishment of the uncontrolled crosswalks is unknown. At this time, we have not been able to ascertain whether they were added by the WVDOH. The existing "Stop for pedestrian in crosswalk" sign is not a legally recognized sign, and it was not installed by the WVDOH. The federal regulations regarding pedestrian crossings have undergone numerous changes in recent years and we are evaluating all crossings as we work to install compliant ADA ramps. Due to continued concerns with the crossings in Berkeley Springs, an engineering study is currently underway, and it will be completed in no more than three months. More information will be provided as soon as it is available.

As you mention in your letter, Ken Clohan, District Five Traffic Engineer, has already advised you that unless there is a school zone the minimum speed limit that can be posted per WV State Code is 25 mph. A permit was not issued for the sign on Honey Crest Drive, and it was not installed by the WVDOH, and will be addressed.

Again, thank you for writing and sharing your concerns. Should you have any questions or require additional information, please do not hesitate to contact Mr. Lee Thorne, our District Five Engineer/Manager at (304) 289-3521.

Sincerely,

Jimmy Wriston, P. E.  
Secretary of Transportation/  
Commissioner of Highways

JW: Tt

Town of Bath

VOLUNTEER APPLICATION

Committee: Please check off the committee(s) you want to volunteer to serve on. An \* indicates that Town of Bath Ordinances and/or West Virginia State Code set qualifications to serve on the committee (e.g., Must be a town resident). Check the Town of Bath's Web Site and/or Facebook Page to see the documents listed below.

Bath Development Authority

Cemetery Management and Maintenance Incorporated

Historic Landmark Commission\* See document, "Qualifications to Serve on the Bath HLC."

Planning Commission\* See document, "Qualifications to Serve on the Bath Planning Commission."

Other: \_\_\_\_\_ (Train Depot, Grant, Parks & Recs, Tree Board, etc.)

Date: 12/12/23

Name: Ken Hoggland

Address: 156 S Green St.

Berkeley Springs, WVA 25411

Telephone: 832-760-3456 Cell: →

Email: TXHOGGIES@GOL.COM

Please explain why you want to serve on the committee? Explain any background, education, or work or professional experience you have that would contribute to your service on the committee. If possible, attach a copy of your resume. Email this form and your resume to the town clerk at: [townofbath@wvdsi.net](mailto:townofbath@wvdsi.net). Or mail them to: Town Clerk, Town of Bath, 271 Wilkes Street 25411. If you have any questions, call town hall at 304-258-1102. Thank you.

As the owner of a house built in 1872 I have a lot of interest in the historic nature of the town. I want to give back to our new home and this position seems a

Updated: 1/20/2023 perfect way.

## Town of Bath

### VOLUNTEER APPLICATION

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Planning Commission\* See document, "Qualifications to Serve on the Bath Planning Commission."

Date: August 16, 2022

Name: Melissa L. Schod

Address: 10 Cacapon Road

Berkeley Springs, WV (town of bath) 25411

Telephone: (717) 752-2196 Cell: (717) 752-2196

Please explain why you want to serve on the committee? Explain any background, education, or work or professional experience you have that would contribute to your service on the committee. If possible, attach a copy of your resume. Email this form and your resume to the town clerk at: [townofbath@wvdsi.net](mailto:townofbath@wvdsi.net). Or mail them to: Town Clerk, Town of Bath, 271 Wilkes Street 25411. If you have any questions, call town hall at 304-258-1102. Thank you.

History constantly fascinates me. I've been interested in the whys and wherefores of how things were done in the past from a very young age. I may not be university trained in architecture, but there's a reason behind why someone would design a structure the way it has been and I like to find buildings' backstories. Was something pleasing to the eye, was it structural, was it the way the homeowner just wanted something to be, was it something functional? Due to this curiosity, I have been led down a long road of self-study, be it hands on at historic sites, reading books, periodicals, online forums, or most recently, during renovations of my husband's and my property here in the Town of Bath. I am a long-time living historian with an interest in the mid-1700s forward and think that I have a unique position that I can offer the HLC of a mindset that can see trends from a different era than ours currently

but can also add a modern use aspect to how properties could be utilized and renovations/restorations might be made affordable.

Would I certainly enjoy seeing a building brought back to its full original potential? Yes. Is this always realistic? No. There is obviously a mishmash of eras of architecture in the Town of Bath, some definitely more ornate versus functional, but each of these structures has a story to tell. Preservation of the historic structures within Morgan County, West Virginia, and most certainly within the Historic District of the Town of Bath should be paramount, but not at the expense of the owner losing their property if they are not able to afford to maintain it. The HLC should be a committee that the public has access to and has trust in to be able to address if they have an issue, need assistance in obtaining a referral for historic repair, a database of grants that might be obtained from outside sources, and feel comfortable that they can consult with for guidance in renovation. If we do not stabilize these buildings and help them to survive, part of the story of the Town of Bath is forever erased.



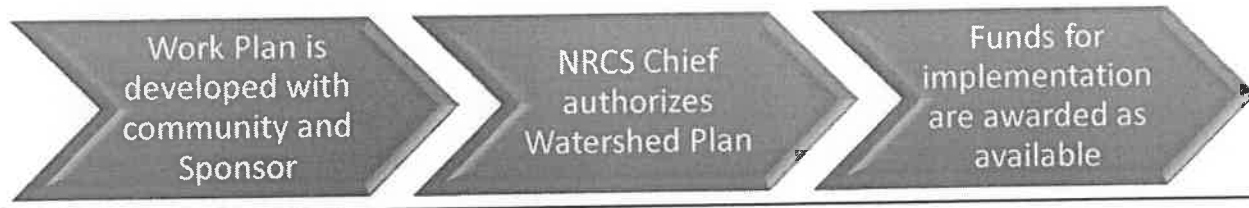




## USDA NRCS Watershed and Flood Prevention Operations (WFPO) Program

The Watershed Protection and Flood Prevention (WFPO) Program helps units of federal, state, local and federally recognized tribal governments (project sponsors) protect and restore watersheds.

Since their enactment in 1948, NRCS watershed programs have designed and built 11,000 dams, constructed water storage structures, flood management systems, bank stabilization, moved towns, redirected stream flows, re-established wildlife habitat and more to save lives and protect watersheds.



## Locally Led Watershed Solutions

Watershed conservation projects are planned and carried out jointly by local, state, and federal agencies with the support of community landowners and citizens in the watershed. Communities identify resource problems to be addressed, practices to be installed, and carry out major portions of a watershed plan, such as obtaining easements, rights of ways, permits and local cost-share funding. All Watershed Program projects must have a local sponsor that can act as the fiscal agent, provide project management and oversight throughout the different phases of construction, implementation, and project lifespan.

Once authorized, projects sponsors gain access to NRCS's financial and technical resources to help implement their plan. An approved watershed plan must be in place prior to initiation of any corrective land treatment or structural solutions. Project sponsors then help landowners carry out the authorized watershed conservation measures.

A Sponsor must be able to create and produce effective engagement campaigns, and supporting outreach materials that encourage public participation in the watershed planning process.

## **NRCS Planning Process**

