

# TOWN OF BATH COUNCIL MEETING

December 3, 2024

1. Call to ORDER: @ 5:30pm by Mayor.
2. ROLL CALL: Scott Merki (X) Susan Webster (X) Elizabeth Skinner (X) Greg Schene (X) Rebecca MacLeod (X) Mary Lynn Hickey (X) Dave O'Connell (X) Quorum present.
3. REVIEW OF MINUTES: Minutes of the Regular Meeting of November 19, 2024 were approved by Common Consent.
4. PERSONS BEFORE COUNCIL: Clerk Corrick presented the 2024 Bath Christmas Angel awards for Bath Christmas Project President Hunter Clark. The business and organization awards went to the American Legion Post 60, Moose Lodge 1483 and Sunny Smiles. Individuals awarded were Brenda Cain, Phil Creek, Breanna Farris, Alison Howard, JK Hunter, Donnie Mason, Jody Mason, Jen and Mike Shecter and Barbara Spielman.  
Travel Berkeley Springs President Stephanie Rebant and Executive Director Laura Smith were in attendance to present the group's Annual Report on its work, expectations and financial accounting (attached). Discussion ensued around the Town of Bath Hotel/Motel tax collection amount and whether the Town was benefiting to the degree of its contribution. Components of concern included the opening of the bypass around Bath, effective signage, emphasis on Bath history and the customer base most likely to be attracted to Bath.
5. COMMUNICATIONS FROM MAYOR: Mayor Merki announced several upcoming Christmas holiday events occurring in Bath including Deck the Meters, the Cocoa Crawl, the Winterfest Parade, the Bath Christmas Market and Merry and Bright at the Ice House.

## COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): The next meeting is December 4, at the Courthouse. This meeting will focus on the reforming of the BDA for the betterment of the Bath economic development. BDA is the Board of Directors of the On Trac program with Assistant Town Clerk Breanna as the Executive Director. On Trac will meet on December 5, at 4:30.
2. PARKS & REC: The next meeting is December 18, at the County Courthouse.
3. PLANNING COMMISSION (PC): The next meeting is December 11 with unfit, vacant buildings being the subject of interest. The January meeting will be with the Berkeley Springs Volunteer Fire Department.
4. RAIL/TRAIL (NBRT): Attached is the written report submitted by Co-Chair Pete Brown. This report also includes information on the status of the BSSP issue with the WV DEP. The Congressionally Directed Spending award of \$720,000.00 for the Depot lot will be administered by the WV DoH. It was concurred that a meeting must be convened with the Morgan County Commission and staff on structuring the move forward with design and engineering.
5. STREETSCAPE: Co-Chair Pete Brown has submitted a detailed progress report. The

Phase V Streetscape project construction is underway on Wilkes and Independence Street's.

6. TRAIN DEPOT: Chairwoman Webster reported that next steps with the Depot improvement plan will be lighting and interpretive signage.
7. LANDMARK COMMISSION (HLC): No report at this time.
8. CLERK/RECORDER REPORT: No report at this time.
9. FINANCE: Chairwoman Webster delivered the following bills for approval:
  - (a) Town of Bath \$9,883.30- Motion to approve: Webster/O'Connell - Carried
  - (b) BSWW \$48,054.85- Motion to approve: Webster/Skinner- Carried
  - (c) Tree Board \$38.60- Motion to approve: Webster/MacLeod- Carried
  - (d) BSPD CAC Fund \$9,436.45- Motion to approve: Webster/Schene- Carried
  - (e) Depot \$41.75- Motion to approve: Webster/Schene- Carried
  - (f) Hotel/Motel Distribution- Motion to approve: Webster/Schene-Carried
10. TREE BOARD: The next meeting is December 18. Member Kate Lehman told Council that the Tree City USA application will be submitted for Bath. Receiving this designation is an important requirement for grant eligibility.
11. GRANT: The next meeting is December 9. Chairwoman Hickey informed Council that the Town of Bath received six applicants for the website rebuild funded by the recently awarded Appalachian Forestry grant. The committee will move forward with selections.

The Federal Cops Grant has been formally accepted. The BSPD can begin the process of recruitment of officers.

Chairwoman Hickey reported that the BSWW plant upgrades will take priority in efforts to obtain funding. She is attending the Region 9 Planning & Development Council meeting as the Bath representative on December 9 in hopes of advancing this project funding possibilities.
12. PUBLIC SAFETY: The next meeting is December 12. No further report.
13. CEMETERY: The next meeting is December 10. Chairwoman Skinner informed all that the Committee invites the public to their January meeting for input and ideas for cemetery maintenance and improvement. The date will be announced. The Committee is also working on record keeping, mapping and revenue and expenses.
14. PUBLIC WORKS: The next meeting is December 10. Chairwoman MacLeod reported that the committee is interested in nature-based drainage grant possibilities for the Depot lot. The Labor Crew is working on handicap parking signage and curb painting.
15. ORDINANCE: The next meeting is December 19. Chairman Schene and committee will be finalizing an ordinance addressing better management and regulation of business parking and permitting. The new 1% municipal sales tax will be going into effect on January 1, 2025. Letters will be sent to Bath businesses as reminders of this change.
16. BSWW: The next meeting is November 20. Chairman O'Connell advised all that the BSWW plant upgrade is of highest importance with the committee. A preliminary engineering report is required to move forward with the upgrade. The committee is concentrating on the work necessary to accomplish this as soon as possible.

Chairman O'Connell explained the request to accept ¾ mile of the US Silica water line from the Warm Springs Public Service District plant to the Sand Mine Road area and

Morgan County Senior Life Services building. This line must have a pressure test and plans are being made to carry out this test.

17. PUBLIC COMMENT: Scott Collinash inquired about recent social media posts which cast doubt on the quality of the BSWW distributed water. Water Chairman O'Connell explained the misunderstanding of the WV Bureau of Public Health standards for public water purveyors and that the BSWW is in good standing. The BSWW publishes its Consumer Confidence Report annually as required. The public was asked to maintain confidence in the BSWW and to seek answers from the company rather than social media.

18. MOTION TO ADJOURN: By Common Consent.

Attest:

Mayor Scott E. Webb

Recorder Suzanne Webster

# July 1, 2023 – June 30, 2024 Financial Summary

## Notes:

### Income

Due to new state laws Market Place sites must now collect and turn into the counties and municipalities hotel/motel tax.

County increase 100% over this time last year and town 60%

**Web Advertising** was the Washington Post

**Print** included Washington Post, Northern Virginia, Recreation News, Morgan Messenger, Sports programs for Penguins, Pirates and Nationals

**TV Advertising** was Washington DC channel 7 and Hagerstown every month.

**Video and Design** is photo shoots and commercials.

**Office** includes cleaning, supplies and copier.

**Community Outreach** is fireworks, brochure rack at Cacapon State Park, Christmas meters, supporting tri county Washington Heritage Trail, mowing welcome signs, free yoga, apple butter sponsorship.

**Rent and Utilities** we are now paying half.

**Media** contract is Imagine DC. Now doing weekly message, Facebook page, marketing plan, and new website.

**Accounting** expense includes a monthly fee for reconciling books, switching financial records to Quickbooks, updating 501C3. Board voted to hire firm due to increased income and expenses and state certification requirements.

## July 1, 2023 - June 30, 2024 Financial Summary

Income		
County Hotel/ Motel	85%	\$395,804
Town Hotel/Motel	10%	\$ 48,230
Paw Paw Hotel/Motel	.03%	\$ 1,525
Water Tasting	2%	\$ 10,371
Membership Dues	.08%	\$ 3,730
Fireworks	1%	\$ 5,000
<b>Total July 1, 2023-June 30, 2024</b>	<b>100%</b>	<b>\$464,660</b>
Expenses		
Print Advertising/Web	32%	\$126,314
TV Advertising	5%	\$19,733
Billboards	4%	\$15,738
Social Media/Google	5%	\$18,000
Ad Grant	5%	\$19,516
Payroll	9%	\$33,751
Water Tasting	5%	\$21,261
Brochures	1%	\$ 5,736
Telephone/Internet	2%	\$ 6,410
Videos & Design	1%	\$ 1,327
Office	1%	\$ 2,919
Dues/Memberships	1%	\$ 3,255
Insurance	1%	\$ 1,851
Community Outreach	12%	\$47,324
Rent & Utilities	1%	\$ 5,102
Media Contract	11%	\$45,475
Accounting Expenses	1%	\$ 2,280
Fireworks	3%	\$11,486
Events	2%	\$ 8,314
<b>Total July 1, 2023-June 30, 2024</b>	<b>100%</b>	<b>\$395,792</b>

**Streetscape, State Park and NBRT Projects Status Report for Town Council  
December 3, 2024**

**STREETSCAPE**

Next Committee Meeting: Tentative: 9 am Thursday 12/19, Town Conference Room

**Phase V Construction:**

- First Fruits expected to complete all the work by the end of December. Current cold weather may impact that plan. They do not plan to shut down work and then re-start at a later date.
- Week of Nov 25<sup>th</sup> :
  - Completed forming and pouring of curb and “step” on Wilkes St (about 10 ft still short)
  - Installed junction box before pouring sidewalk on Wilkes St
  - Began removal of existing sidewalk on the south side of Independence St
  - Grading for sidewalk and trenching for lighting conduit (south side and alley)
- Week of Dec 2<sup>nd</sup>: (Weather/Temperature permitting)
  - Grade & stake out sidewalk on Wilkes; complete sidewalk foundation work
  - Possibly pour sidewalk on Wilkes (Union to Independence)
  - Complete removal of south side sidewalk on Independence & grade & install the 4 inch aggregate foundation
- Resolve question of adding Water Company conduit under new sidewalks on Independence St

**Phase VI Design Task Order:**

- DOH was asked (11-18 am) to prepare the required Funding Agreement for Town and DOH signature. Total will be \$70K (\$56K Grant & \$14K Town). Draft Task Order #2 is for \$65K.
- That Agreement is being created and we will see the draft prior to DOH mailing it to Town

**Follow-up for Separate Contract to Install Phase V Lighting:**

- Streetscape Committee (at its 11/21 Meeting) agreed to research alternatives and prepare a cost estimate (with potential funding sources) for the Phase V construction and lighting system components – outside of any DOH requirements or influence. Thrasher drawings can be used for a DOH project (if Awarded in FY25 Grant) or a non-DOH project if costs can be reduced. If DOH is involved, Grant Application would be after Jan 2025 and this will be called “Phase VII”
- Beyond Phase V needs, the Committee will review all remaining lighting requirements within the Six-Block Core Area and consider alternative paths to complete this lighting. Basic data is available for this review and costing effort.

**BERKELEY SPRINGS STATE PARK PROJECT**

**Current Status of DEP Consent Order:**

- Town was called by DEP representative who wants to discuss some matters in the Corrective Action Plan submitted by the Town in September – plan to discuss with DEP.

**NBRT**

- Final inspection for CBT G3 grant was completed and a final report was sent to CBT last week.
- Received the following from Mark Scoular on Nov 27<sup>th</sup>;
  - *“I’ll keep you updated but we are probably going to have an UNOFFICIAL meeting in the coming weeks with the District with the project. I’m not sure who or when exactly but we’re trying to work these bridges out some way. So next week I may have some better information.”*
  - *“I’ve talked to Melanie over at Morgan County on the Trail Head CDS project. I have it programmed as 100% but wasn’t really sure. Now I am pretty sure it is 80/20%. At first some of those are fully 100% federal but this one looks not to be. I will change and finish up their agreement next week.”*

Pete Brown  
Streetscape Committee



**BERKELEY SPRINGS WATER WORKS  
EXPENDITURES AND ENCUMBRANCES**

BATCH DATE	YEAR:	General Account			
11/5/2024	2025				
VENDOR ACCT #	VENDOR NAME	AMOUNT	DESCRIPTION		
	ASI	\$ 1,428.09	Installation /Training 10/28/24		
	BTM CPA	\$ 475.00	Accounting Services - December		
	Core & Main	\$ 7,960.56	Supplies		
	Core & Main	\$ 2,996.00	Annual Subscription		
	Hach	\$ 17,524.00			
	Morgan Messenger	\$ 112.00	PER Ad 1 week		
	Potomac Edison	\$ 25.86	Green Gate		
	Potomac Edison	\$ 77.45	Booster Station		
	Potomac Edison	\$ 4,195.68	Master Bill 10/15/24-11/15/24		
	Town of Bath		EE Paid Dental Ins		
	Town of Bath	\$ 541.00	UT Tax November Billing		Monthly
	Town of Bath	\$ 1,700.00	Dec Admin Costs		Monthly
	Town of Bath	\$ 800.00	Dec Rent on Wilkes St		Monthly
	Town of Bath	\$ 3,050.00	Dec Ground Rent for Tanks		
	Town of Bath	\$ 5,917.02	RHBT PEIA Payment - December		
	USPS	\$ 623.36	Postage for November Billing		
	WSPSD	\$ 64.14	99 Wilkes St		
	WSPSD	\$ 564.69	Backwash Fee 10/23-11/18/24		
	WV Dep of Health		Water Samples		
	<b>TOTAL</b>	<b>\$ 48,054.85</b>			









