

TOWN OF BATH COUNCIL MEETING

February 18, 2025

1. Call to ORDER: @ 5:30pm by Town Recorder, Susan Webster.
2. ROLL CALL: Scott Merki (absent) Susan Webster (X) Elizabeth Skinner (A) Greg Schene (X) Rebecca MacLeod (X) Mary Lynn Hickey (X) Dave O'Connell (X) Quorum present.
3. APPOINTMENT of TEMPORARY RECORDER: With Recorder Webster running the meeting in the absence of Mayor Scott Merki, Councilwoman Mary Lynn Hickey was approved to serve as Recorder for this meeting by Common Consent.
4. REVIEW OF MINUTES: Minutes of the Regular Meeting of February 4, 2025 were approved pending correction of Item 16 by Common Consent.
5. PERSONS BEFORE COUNCIL: None.
6. COMMUNICATIONS FROM MAYOR: Webster announced the 35th International Water Tasting event taking place at the Country Inn Feb. 20-22 and encouraged all to attend. She also noted the ribbon cutting ceremony for the Grand Castalian B&B was scheduled for March 9 from noon – 4:00 pm.

COMMITTEE AND BOARD REPORTS

1. BATH DEVELOPMENT AUTHORITY (BDA): Recorder Webster reported the next meeting will be held on March 5 at 4:30 pm. The next OnTrac meeting is set for March 13, at 4:30 pm at Town Hall.
2. PARKS /REC: No report. The next meeting is February 19 at the Courthouse.
3. PLANNING COMMISSION (PC): President Landon reported that the Planning Commission is seeking a new members to fill an open vacancy. Landon attended the most recent Morgan County Planning Commission meeting where administrative and scheduling items were the main items on the agenda.
4. RAIL/TRAIL (NBRT): Attached is the written report submitted by Co-Chair Pete Brown. Rebecca MacLeod reported that a draft proposal for the remediation of Lot 1A at the Train Depot was submitted to the County. If the County approves, the proposal will be forwarded on to DOH. There is a possibility of receiving a rebate of money already paid by the County for lot remediation.
5. STREETSCAPE: The next meeting is Feb. 24 at 9:00 am. Co-Chair Pete Brown has submitted a detailed progress report (attached). Contractor First Fruits is scheduled to return the week of February 24 to finish the work on Wilkes St. and to correct the ADA ramp on Independence St. in front of Hunter's Hardware store.
6. TRAIN DEPOT: Webster reported that the Committee is continuing a conversation with TBS regarding better insulation for the building and to plan future exhibits at the Depot.
7. LANDMARK COMMISSION (HLC): No report.
8. CLERK/RECORDER REPORT: Resolution 2025-02-01 to revise the Levy Estimate (budget) of the Town of Bath was moved by Hickey with a second by Elizabeth Skinner. A roll call vote of Town Council members followed with Skinner, Hickey, MacLeod Greg Schene and David O'Connell all voting yes to adopt the resolution.

Webster did not cast a vote.

Building Permit acknowledgment – Webster reported the details for 2 property improvement requests received. One was for a property on Wilkes St and the second was for a property on Church St.

Property Use Request received from the Mountain State Cruisers for their Fathers Day Car Show. Webster will follow up with the organizer to share concerns from local businesses about closing Fairfax St. and discuss alternatives that are mutually agreeable to both parties.

9. FINANCE: Chairwoman Webster delivered the following bills for approval:
 - (a) Town of Bath \$17,279.03- Motion to approve: Hickey/O'Connell - Carried
 - (b) BSWW \$61,336.08– Motion to approve: Hickey/Skinner - Carried
 - (c) Hotel/Motel Distribution \$2,937.50 - Motion to approve: Hickey/Schene - Carried
10. TREE BOARD: The next meeting is February 19. Kate Lehman reported that US Forestry funds are on hold and grantees have been advised to put an immediate hold on spending awarded grants funds. \$3,670.60 of grant funds have been spent to date but not submitted for reimbursement. An additional \$700 in expenses was approved by the finance committee to be paid from hotel/motel funds.
11. GRANT: The next meeting is March 17. Chairwoman Hickey reported that disbursement of Federal grant funding is becoming more uncertain. The Federal COPS Grant is currently on hold pending the hire of a second police officer. A cyber security grant application for the BSPD has been submitted. Another cybersecurity grant and for the BSWW is being prepared. She is continuing to explore grant possibilities for Streetscape street lights at the Depot as well as funding for surveillance cameras, digital speed signs and other traffic calming devices. Pending the award and completion of the contract for a Professional Engineering report, Chairwoman Hickey reported that grant funding for BSWW plant upgrades will be the highest priority.
12. PUBLIC SAFETY: The next meeting is March 12. Schene reported that a new police officer has been hired and he is scheduled to start work the first week in March. He will attend the police academy for 6 weeks.
13. CEMETERY: The next meeting is February 25. Beth Skinner reported that the Make It Shine Program cleanup at the cemetery is scheduled for Saturday, April 5 with a rain date on Saturday, April 12. The Committee has submitted a request for hotel/motel funds in the amount of \$10,000 to fund lawn maintenance in the cemetery through the spring and summer.
14. PUBLIC WORKS: The next meeting is March 11. The contractor for the Foxglove Garden Club will be picking up surplus bricks at the train depot lot and transporting them to the German Cemetery for the continuing work on that property.
15. ORDINANCE: The next meeting is February 20. The Committee is continuing discussion on dilapidated buildings and reserved parking with a renewed focus on tourism and measures that will bolster the local economy. The discussion of bringing public transportation to the Town of Bath and Morgan County is continuing with the WV Department of Transportation.
16. BSWW: The next meeting is February 19. Chairman O'Connell reported that 7

engineering firms submitted their qualifications to the BSWW for the creation of a Professional Engineering Report and 3 firms will be interviewed the week of Feb. 24 for further consideration.

17. PUBLIC COMMENT:

18. MOTION TO ADJOURN: Approved by common Consent.

Attest:

Mayor Suzanne Kubota Recorder Daniel J. O'Connell

**Streetscape and NBRT Projects Status Report for Town Council
February 18, 2025**

STREETSCAPE

Next Committee Meeting: may be re-scheduled to Monday Feb 24 at 9 am Town Conference Room

Phase V Construction:

- Construction this week is unlikely due to weather; currently planning to return next week
- There will be concrete work (Wilkes St sidewalk and trench drain) still to be accomplished. That improves both cost and ability to do the work on the ADA ramp below.
- Town request for pricing of the new ADA ramp at Hunter's is being sent this week by D5 to Contractor for a price. So far it appears possible that this can be accomplished within the Contract Price.
- Once we hear back from D5, the Town can proceed with a request to D5 to accomplish that work.

Phase VI Design DOH Funding Agreement & Town/Thrasher Task Order:

- Proposed fixes to the Draft Funding Agreement were sent back to DOH on Monday morning, Feb 3rd
- Called DOH rep today to see if there were any problems (like Federal Grant Funding) with the Agreement – have not heard back yet.
- Once the Town has the final version (will be officially sent from DOH) the Agreement will be sent to the Town Council via the Finance Committee for approval and associated Town Council Resolution.
- Other specifics from my Feb 4th report remain unchanged.

NBRT

- Planning for an NBRT Task Force Meeting on Wednesday Feb 26th at 4 pm.
- DOH Charleston had phone meeting with D5 on Feb 12th to discuss further detail regarding bridge design, fabrication, abutments and installation. Some details:
 - Worked out current funding for work in progress at D5
 - Reviewing Geo Tech info for abutments
 - Will review Right of Entry Permits (with County)
 - Timeline not firm, but DOH thinks we may have one in a few weeks.
- Our questions (sent to DOH (Mark) on Feb 3rd were not answered yet.
- DRAFT Proposal to split the Remediation of Parcel 1A out of the proposed re-solicited trail construction contract and return that effort and sufficient funds to the County/Town for Certification was sent to Joel, Bill and Susan today to be a part of the Agenda for that Feb 26th Meeting. If the Proposal is accepted by the Task Force, it should be sent to DOH under a cover letter from the Town and County leadership for DOH action. This should not disrupt the current bridges effort by DOH and D5.

Pete Brown Streetscape Committee

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 304-340-5090
 Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 Fiscal Year Ending: **2025**
 Fund: **1**
 Revision Number: **3**
 Pages: **1**

Town of Bath
 GOVERNMENT ENTITY

Person To Contact Regarding Request:
 Name: **Sharron Corrick**
 Phone: **304-258-1102**
 Fax: **304-258-3638**
 Email: townofbath@wvdsi.net

271 Wilkes Street
 STREET OR PO BOX
 Berkeley Springs WV 25411
 CITY ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
303	Gas and Oil Severance Tax	7,700		4,900	2,800
304	Excise Tax on Utilities	35,000	10,000		45,000
305	Business and Occupation Tax	58,000	10,000		68,000
306	Wine & Liquor Tax	40,000	5,000		45,000
320	Fines, Fees & Court Costs	15,000		10,000	5,000
321	Parking Violation	24,000	16,000		40,000
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			48,225		

Explanation for Account # 378, Municipal Specific:
Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
440	City Hall	133,276	14,475		147,751
750	Streets and Highways	137,265	11,500		148,765
800	Garbage Department	199,181	8,250		207,431
753	Snow Removal		5,000		5,000
751	Street Lights	20,000	5,000		25,000
700	Police Department	212,571	4,000		216,571
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures			48,225		

APPROVED BY THE STATE AUDITOR
 BY: _____ Date _____
 Deputy State Auditor, Local Government Services Division

 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

REVENUES (CONT)

Town of Bath

LGSD: BR Town of Bath

CONTROL NUMBER: 2025

FUND 1

REV # 3

BUDGET REVISION REQUEST-SUPPLEMENT

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
330	IRP Fees (Interstate Registration Plan)	13,000	4,000		17,000
342	Parking Meter Revenues	25,000	5,000		30,000
345	Rents/Royalties and Concessions	45,200	10,000		55,200
367	Other Grants		2,225		2,225
389	Accident Reports	100	900		1,000
	#N/A				
	#N/A				
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NET INCREASE/(DECREASE) Revenues (THIS PAGE) 22,125

Explanation for Account # 378, Municipal Specific:
Explanation for Account #369, Contributions from Other Funds:

NOTICE OF BUILDING OR REAL PROPERTY IMPROVEMENT

TO THE ASSESSOR OF Morgan COUNTY:

Any person, corporation, association or other owner of real property, subject to the payment of property tax, who shall erect any building or structure, or who shall add to, enlarge, move, alter, convert, extend, raze or demolish any building or structure, whereby the value of the real property shall be improved more than \$1,000 must notify the assessor on Form 12:75 within sixty days from the date the work is commenced. If a report is made by or on behalf of any mine, mill, factory, or other industrial establishment and filed with the assessor on or before June fifteen which discloses with certainty any construction, or improvement made during the previous twelve months, the owner shall be deemed in compliance with notice requirements. If a building permit has been obtained, this shall be sufficient notice. Any person in violation of provisions of West Virginia Code § 11-3-3a, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine.

See Chapter 11, Article 3, Section 3a of the West Virginia Code for additional information.

Name of Owner or Owners Jay W. Butenbough

Location (Address) of Improvement 455 Wilkes ST

Taxing District Town of Beth

Land Book Description _____

have, or has been (Altered) _____ (Erected) 1920

and that said improvements have increased the value of the property in excess of \$1,000.00

Improvements were commenced 2 15 2025 (Month/Day/Year),

Completion date or anticipated completion date 2 15 2026 (Month/Day/Year).

Approximate increase in value \$ 900.00 Use of Building _____

Remarks: _____

fire on porch prep work damaged

Address of Owner or Owners same

Phone No. 304 220 7395

Notice Filed By [Signature] Date 2-11-2025
Signature Month/Day/Year

NOTICE TO BE FILED WITH ASSESSOR WITHIN SIXTY (60) DAYS AFTER COMMENCEMENT OF IMPROVEMENTS TO REAL PROPERTY WHICH WILL INCREASE THE VALUE IN EXCESS OF \$1,000

BELOW THIS LINE FOR ASSESSOR'S USE ONLY

Map No. _____

Received _____

Parcel No. _____

NOTICE OF BUILDING OR REAL PROPERTY IMPROVEMENT

TO THE ASSESSOR OF Morgan COUNTY:

Any person, corporation, association or other owner of real property, subject to the payment of property tax, who shall erect any building or structure, or who shall add to, enlarge, move, alter, convert, extend, raze or demolish any building or structure, whereby the value of the real property shall be improved more than \$1,000 must notify the assessor on Form 12:75 within sixty days from the date the work is commenced. If a report is made by or on behalf of any mine, mill, factory, or other industrial establishment and filed with the assessor on or before June fifteen which discloses with certainty any construction, or improvement made during the previous twelve months, the owner shall be deemed in compliance with notice requirements. If a building permit has been obtained, this shall be sufficient notice. Any person in violation of provisions of West Virginia Code § 11-3-3a, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine.

See Chapter 11, Article 3, Section 3a of the West Virginia Code for additional information.

Name of Owner or Owners Virgil & Christie Stambaugh

Location (Address) of Improvement 151 First Church St

Taxing District Town of Bath

Land Book Description _____

have, or has been (Altered) _____ (Erected) _____

and that said improvements have increased the value of the property in excess of \$1,000.00

Improvements were commenced 2/10/25 (Month/Day/Year),

Completion date or anticipated completion date 6/30/25 (Month/Day/Year).

Approximate increase in value \$ 20,000 Use of Building Studio Apartments

Remarks: _____

Address of Owner or Owners 4761 Timber Ridge Rd Big Cove Tannery PA

Phone No. 240-527-8578 17212

Notice Filed By Christie Stambaugh Date 2/10/25
Signature Month/Day/Year

NOTICE TO BE FILED WITH ASSESSOR WITHIN SIXTY (60) DAYS AFTER COMMENCEMENT OF IMPROVEMENTS TO REAL PROPERTY WHICH WILL INCREASE THE VALUE IN EXCESS OF \$1,000

BELOW THIS LINE FOR ASSESSOR'S USE ONLY

Map No. _____ Received _____

Parcel No. _____

Parking @ Church
1st United Methodist -
304-258-2766

BERKELEY SPRINGS WATER WORKS
EXPENDITURES AND ENCUMBRANCES

		General Account	
BATCH DATE	YEAR:	2025	
2/18/2025			
VENDOR ACCT #	VENDOR NAME	AMOUNT	DESCRIPTION
	TBS	\$ 45.00	Water Tasting
	Core & Main	\$ 1,121.17	Repairs @ Courthouse & Regal Ct.
	Core & Main	\$ 468.58	Meter Supplies
	Core & Main	\$ 7,160.00	Hydrants
	Close	\$ 2,400.00	2024 PSC Report
	Potomac Edison	\$ 189.16	Greengate Rd Equipment
	Potomac Edison	\$ 5,645.90	Master Bill
	Town Of Bath	\$ 182.06	March 2025 EE Paid Dental/Vision
	US Bank	\$ 4,606.54	Mayhew P-Card
	US Bank	\$ 282.97	Powell P-Card
	US Bank	\$ 387.82	Unger P-Card
	US Bank	\$ 157.42	Redick P-Card
	US Bank	\$ 2,495.79	Office P-Card
	Panhandle Printing	\$ 49.06	Clear Labels for Water Jugs
	WV Dep. Of Health	\$ 115.00	Water Samples
	Reserve for Debt	\$ 19,112.94	Bond Coverage
	Transfer to R&R	\$ 15,416.67	Monthly Deposit
	Depreciation	\$ 1,500.00	Monthly Deposit
	TOTAL	\$ 61,336.08	

