

**West Virginia Board of Public Works
Monday, March 2, 2015 – 9:00 a.m.
Governor’s Cabinet and Conference Room
Minutes**

Attendees:

Members

State Treasurer John D. Perdue
Secretary of State Natalie E. Tennant
State Superintendent of Schools Dr. Michael Martirano
Attorney General Patrick Morrissey
Commissioner of Agriculture Walt Helmick
Peter Markham, General Counsel for Governor Earl Ray Tomblin
Russell Rollyson, Deputy State Auditor for State Auditor Glen B. Gainer III

Guests

Ashley Summitt, Secretary of State’s Office
Kathy Schultz, Attorney General’s Office
David Hildreth, Department of Administration
Eric Hudnall, Division of Highways
Fenway Pollack, Division of Highways

The West Virginia Board of Public Works met on Monday, March 2, 2015 at 9:00 a.m. in the Governor’s Cabinet and Conference Room at the State Capitol Complex. The meeting was called to order and chaired by State Treasurer John Perdue. A quorum of elected officials was established.

The first item on the agenda was the approval of minutes from the December 11, 2014 West Virginia Board of Public Works meeting. Commissioner Helmick made a motion to approve the minutes with Attorney General Morrissey seconding. The motion carried.

The second item on the agenda was an Executive session for the discussion of a litigation settlement offer. Treasurer Perdue made a motion that the Board go in to Executive session with Secretary Tennant seconding. The motion carried. The Board went in to Executive session.

The Board resumed regular session. Treasurer Perdue stated that no action had been taken during the Executive session. Attorney General Morrissey made a motion to authorize the Attorney General’s Office to enter into a settlement agreement with Little Kanawha River Rail in a manner that would reflect the best interest of the State with Commissioner Helmick seconding. The motion carried.

Dr. Martirano excused himself from the meeting. A quorum of elected officials remained.

The third item on the agenda was the presentation of the following deeds listed 1 through 4 seeking approval by the Board of Public Works.

1. Between the Mineral County Development Authority and the West Virginia Department of Transportation, Division of Highways, dated December 2, 2014, approved as to form by the Attorney General’s office January 14, 2015.

2. Between the West Virginia Department of Transportation, Division of Highways and the Frankfort Public Service District, dated December 11, 2014, approved as to form by the Attorney General's office January 8, 2015.
3. Between the City of Clarksburg and State of West Virginia, Department of Administration, Real Estate Division, Tax Map 24, Parcel 217, dated December 9, 2014, approved as to form by the Attorney General's office February 23, 2015.
4. Between Raleigh County Building Commission and State of West Virginia, Department of Administration, dated January 5, 2015, approved as to form by the Attorney General's office February 23, 2015.

Eric Hudnall addressed the Board concerning deed number 1. This is an industrial access road connecting route 46 to the Ft. Ashby Industrial Park in Mineral County. Secretary Tennant made a motion to approve deed number 1 with Russ Rollyson seconding. The motion carried.

Eric Hudnall addressed the Board concerning deed number 2. This property is also located in Mineral County. It is for the construction of a sewage lift station along WV Route 46. The deed contains a reversionary clause. It also contains a clause that reserves any coal or mineral rights. Secretary Tennant made a motion to approve deed number 2 with Attorney General Morrissey seconding. The motion carried.

David Hildreth addressed the Board concerning deed number 3. He explained that this is the last of 10 parcels to support the new State office building on Main Street in Clarksburg. Secretary Tennant asked when the anticipated completion of the Clarksburg project would be. Mr. Hildreth responded that it would be about a year from today's date. Secretary Tennant made a motion to approve deed number 3 with Commissioner Helmick seconding. Russ Rollyson abstained from voting. The motion carried.

David Hildreth addressed the Board concerning deed number 4. He explained that this property was part of a 3.4 million dollar lease/purchase contract. The debt was satisfied in 2009. The deed is now being conveyed to the State. Commissioner Helmick asked why there was a delay on completing the agreement. Mr. Hildreth responded that after speaking with several representatives for approximately 6 months, he ultimately spoke with the President of the County Commission. He thought that the conveyance had already been completed. Secretary Tennant made a motion to approve deed number 4 with Commissioner Helmick seconding. The motion carried.

With no further business, Commissioner Helmick made a motion that the meeting be adjourned. The motion carried. The meeting was adjourned.



Natalie E. Tennant, Secretary of State and
Ex-Officio Secretary of the West Virginia
Board of Public Works