

**West Virginia Board of Public Works
Monday, October 1, 2012 – 10:30 a.m.
Governor’s Cabinet and Conference Room
Minutes**

Attendees:

Members

Commissioner of Agriculture Gus R. Douglass
Secretary of State Natalie E. Tennant
Attorney General Darrell V. McGraw, Jr.
State Treasurer John D. Perdue
State Superintendent of Schools Dr. Jorea Marple
Mack Parsons for State Auditor Glen B. Gainer III
Peter Markham, General Counsel for Governor Earl Ray Tomblin

Guests

Dawn Warfield, Attorney General’s Office
Sandy Marinacci, Department of Agriculture
Jeff Amburgey, Tax Department
Scott McNeil, Tax Department
John McHugh, Division of Highways
Danny Ellis, Treasurer’s Office
Samme Gee, Jackson Kelly
Chris Jarrett, Water Development Authority
Phil Kabler, WV Gazette
Ashley Summitt, Secretary of State’s Office
Judy Cooper, Secretary of State’s Office
Ashley Parsons, Secretary of State’s Office
Bradley Harris, Secretary of State’s Office

The West Virginia Board of Public Works met on Monday, October 1, 2012 at 10:30 a.m. in the Governor’s Cabinet and Conference Room of the State Capitol Complex. This meeting was held pursuant to the provisions of Chapter 11, Article 6, Section 11 of the West Virginia Code. Due to the absence of Governor Tomblin, the meeting was called to order and chaired by Commissioner Douglass. A quorum of elected officials was established.

The first item on the agenda was the approval of minutes from the August 22, 2012 West Virginia Board of Public Works meeting. Peter Markham moved to approve the minutes with Treasurer Perdue seconding the motion. The motion carried.

The second item on the agenda was a presentation by the State Tax Department concerning tentative assessments for public utility companies for tax year 2013. Jeff Amburgey, Director of the Property Tax Division, addressed the Board. The Department of Tax and Revenue issued notices of tentative assessed values to public utility companies operating in West Virginia on September 14, 2012. For Tax Year 2013, the total of all of the utility assessments in the State

was almost 9 billion dollars. This represents an increase of 515 million dollars over the final assessed values set by the Board of Public Works for tax year 2012. If the tentative values become finalized, this would result in an increase in property tax revenue of approximately 11.6 million dollars. This would be the first time that total taxes on utility property increased over \$200 million for the state. Mr. Amburgey explained that the increase this year is attributable mainly to an increase of investments in the state by electric companies and pipeline companies. The largest increase out of the \$515 million is a company called Trans Allegheny Interstate Line Company which is building a transmission line across the state. Additionally, some of the pipeline companies are expanding their capabilities due to the growth in the Marcellus Shale. The increases have been offset by the continued decline in land line telephone companies. This year the decrease was about 4% as people continue to discontinue home service. Mr. Amburgey explained that a larger concern for the utility tax base long term is the closing of coal fired power plants in the state. In calendar years 2011 and 2012, at least 4 of the older coal fired power plants are being taken off line. While it has not significantly affected the utility tax base to this point, the impact on the local communities is often significant. Treasurer Perdue made a motion to accept the tentative values for utility assessments with Secretary Tennant seconding. In discussion, Secretary Tennant asked fellow Board members to consider receiving the tentative assessment report on a jump drive instead of paper. She stated that she would like the letters and remarks from the Tax Department to be included as the expert perspective to be considered. She asked if there was anything in code requiring the report to be on paper. Mr. Amburgey answered that the code just states that it must be provided to the Board, but doesn't specify how. He continued that he would be happy to provide the report with the back-up information on a jump drive next year. The Attorney General joined the meeting. With no further discussion, the motion carried.

The final item on the agenda was discussion of the following deeds listed 1 through 3 seeking approval by the Board of Public Works.


1. Between Fayette County Urban Renewal Authority and the West Virginia Department of Transportation, Division of Highways, dated March 28, 2012, approved as to form by the Attorney General's Office July 16, 2012.
2. Between City of Morgantown and the West Virginia Department of Transportation, Division of Highways, dated January 31, 2012, approved as to form by the Attorney General's Office September 12, 2012.
3. Between West Virginia Water Development Authority and West Virginia Economic Development Authority, dated October 2012, approved as to form by the Attorney General's Office September 25, 2012.

John McHugh addressed the Board concerning deed number 1. He explained that the Fayette County Urban Renewal Authority is conveying to the Division of Highways a non-controlled access right-of-way totaling 11.21 acres. This involves construction of an industrial access road to Wolf Creek Park in Fayette County. Treasurer Perdue made a motion to approve deed number 1 with Dr. Marple seconding. The motion carried.

John McHugh addressed the Board concerning deed number 2. He explained that the City of Morgantown will convey a non-controlled access right-of-way totaling 294 feet to the Division of Highways. This is to improve a turn along route 7 in Morgantown. Treasurer Perdue made a motion to approve deed number 2 with Dr. Marple seconding. The motion carried.

Samme Gee addressed the Board representing the WV Water Development Authority concerning deed number 3. She introduced Chris Jarrett and stated they would answer any questions the Board may have. Treasurer Perdue made a motion to approve deed number 3 with Secretary Tennant seconding. The motion carried.

With no further business, Commissioner Douglass recessed the meeting until November 1, 2012.


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