

**West Virginia Board of Public Works
December 10, 2015 – 11:00 a.m.
Governor's Cabinet and Conference Room
Minutes**

Attendees:

Members

Governor Earl Ray Tomblin
Secretary of State Natalie E. Tennant
Agriculture Commissioner Walt Helmick
Attorney General Patrick Morrissey
State Superintendent of Schools Dr. Michael J. Martirano
Josh Stowers for State Treasurer John D. Perdue
Russ Rollyson for Auditor Glen B. Gainer III

Guests:

Jeff Amburgey, State Tax Department
Uriah Cummings, State Tax Department
Fenway Pollack, Division of Highways
Brittany Vascik, Governor's Office
Wayne Williams, Attorney General's Office
Ashley Summitt, Secretary of State's Office
Judy Cooper, Secretary of State's Office

The West Virginia Board of Public Works re-convened on Thursday, December 10, 2015 at 11:00 a.m. in the Governor's Cabinet and Conference Room, Building 1, Suite 10 of the State Capitol Complex. The meeting was called to order and chaired by Governor Earl Ray Tomblin. A quorum of elected officials was established.

The first item on the agenda was to receive and approve the final assessments for public utilities for tax year 2016. Commissioner Helmick made a motion to approve the final assessments with Russ Rollyson seconding. Jeff Amburgey addressed the Board concerning the second item on the agenda, a utility request for relief from erroneous assessment pursuant to W. Va. Code §11-6-12a for Commercial Metals Co. He explained that this is a private railcar company. Those companies are valued based on the amount of time they travel in West Virginia. This company did not file, so the Tax Department did an estimated assessment on them. They have since discovered that the railcars had been sold and assessed under a different company name. The taxes are about \$200 on this account. Mr. Amburgey does recommend that this be exonerated. Attorney General Morrissey made a motion to approve the exoneration with Secretary Tennant seconding. The motion was adopted. Governor Tomblin then called for a vote on the motion to approve the final tax assessments for public utilities for tax year 2016 as amended. The motion as amended was adopted.

The third item on the agenda was discussion of the following deeds listed as 1, seeking approval by the Board of Public Works:

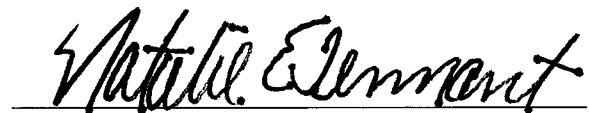
1. Between the Town of Oceana and the West Virginia Department of Transportation, Division of Highways, dated August 14, 2015, approved as to form by the Attorney General's Office December 8, 2015.

Fenway Pollack addressed the Board concerning deed number 1. He explained that this is property being purchased from the Town of Oceana for the purpose of putting in a drainage structure to alleviate some localized flooding. The structure will go across land that has no structures on it. Governor Tomblin asked why the Department of Highways would pay \$750 for a right of way to put a drain pipe in that helps the Town of Oceana. Mr. Pollack responded that he has been told that this development, called the Morgan Addition, is roads that were taken in to the Division of Highways system about 10 years ago. Governor Tomblin continued that in the past on a regular basis the State has transferred property in and out with different counties and cities for \$1. He questioned why this one was \$750. Mr. Pollack responded that he wasn't sure, but this land is property that the Town of Oceana received from FEMA. There may be some federal requirements involved. Commissioner Helmick made a motion to approve deed number 1 with Secretary Tennant seconding. The motion was adopted.

The final item on the agenda was an Executive Session to receive an update from counsel regarding litigation pertaining to delinquent taxpayers. Attorney General Morrissey made a motion for the Board to go in to Executive Session with Dr. Martirano seconding. The motions was adopted. The Board went in to Executive Session.

Upon conclusion of the Executive Session, the Governor called the meeting back in session.

With no further business, Commission Helmick made a motion to adjourn. The motion was adopted. The meeting was adjourned.



Natalie E. Tennant,
Secretary of State
And Ex-Officio Secretary of the
Board of Public Works