

**West Virginia Board of Public Works**  
**December 5, 2016 – 2:00 p.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 Morrisey  
State Superintendent of Schools Dr. Michael J. Martirano  
State Treasurer John D. Perdue  
Russ Rollyson for Auditor Lisa A. Hopkins

Guests:

Jeff Amburgey, State Tax Department  
Uriah Cummings, State Tax Department  
Eric Hudnall, Division of Highways  
Mike Folio, Division of Highways  
Mark Miller, Division of Motor Vehicles  
Brian Beechem, by teleconference line, First Student Inc.  
Peter Markham, Governor's Office  
Jessica Tice, Governor's Office  
Kathy Schultz, Attorney General's Office  
Ashley Summitt, Secretary of State's Office  
Sheryl Webb, Secretary of State's Office  
Judy Cooper, Secretary of State's Office  
Sam Speciale, Secretary of State's Office

The West Virginia Board of Public Works re-convened on Monday, December 5, 2016 at 2:00 p.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 2017. Jeff Amburgey addressed the Board. He explained that there were no protests from the tentative tax assessments, but there were some adjustments. Most of the adjustments came from bus companies that pay property taxes through the DMV when they get apportioned plates. For that reason, bus companies have been removed from the Board of Public Works jurisdiction. A few other adjustments were made due to companies filing their returns late or providing additional information. The recommended changes would reduce the tentative value to a final assessed value of \$10,471,119,600. This represents an increase over last year's value of \$444,420,200. The Tax Department recommends that the Board adopt the adjustments as presented. Attorney General Morrisey asked what the primary change in value was from last

year to this year. Mr. Amburgey responded that there was an increase in the electric companies and a large increase in the pipeline values. Governor Tomblin asked for further explanation of the taxes paid by bus companies. Mr. Amburgey explained that there is now an International Registration Program that allows trucks to get their license in one state and pay registration fees to all states that they travel through. This was applied to buses this year. In order to avoid taxing them twice they have been removed from Board of Public Works assessments. Treasurer Perdue made a motion to receive and approve the assessments for public utilities for tax year 2017 with Secretary Tennant seconding. The motion was adopted.

The second item on the agenda was a utility request for relief from erroneous assessment pursuant to W. Va. Code §11-6-12a for First Student, Inc. Jeff Amburgey addressed the Board. He explained that this is a company that supplies school buses to facilities that have privatized their bus system. The tax return sent to them last year was not received. Upon receiving the tentative assessments this year, they questioned why it was so large. Mr. Amburgey instructed them to file a return for the current year and the prior year. Based on that filing, they had just a few bus trips in to Morgantown with 14 buses. The tentative assessment that had been estimated by the tax department was \$2,432,000 with taxes due of over \$60,000. Mr. Amburgey considers this a clerical error on the Tax Department's part. He is now recommending that the assessment be lowered to \$11,700. Commissioner Helmick made a motion to approve the exoneration with Dr. Martirano seconding. The motion was adopted.

The third item on the agenda was discussion of the following deeds listed as 1 and 2, seeking approval by the Board of Public Works:

1. Between the Central Hampshire Public Service District and the West Virginia Department of Transportation, Division of Highways, dated August 2, 2016, approved as to form by the Attorney General's Office November 18, 2016.
2. Between the Housing Authority of the City of Moundsville and the West Virginia Department of Transportation, Division of Highways, dated February 24, 2015, approved as to form by the Attorney General's Office November 18, 2016.

Eric Hudnall addressed the Board concerning deed number 1. He explained that this deed is conveying 5,177 square feet for non-controlled access right of way to the DOH for the construction of a new bridge across Little Cacapon River on Hampshire County Route 50/9 near Frenchburg. The total consideration is \$3,200.00. Treasurer Perdue made a motion to approve deed number 1 with Secretary Tennant seconding. The motion was adopted.

Eric Hudnall addressed the Board concerning deed number 2. He explained that this deed in conveying .11 of an acre for non-controlled access right of way and .06 of an acre for a temporary construction easement to the DOH for the construction of the Jefferson Avenue Extension Bridge on US 250 in the City of Moundsville. The total consideration is \$16,200.00. Secretary Tennant made a motion to approve deed number 2 with Russ Rollyson seconding. The motion was adopted.

Upon completion of the agenda, Governor Tomblin, Secretary Tennant and Commissioner Helmick all expressed appreciation for their time on the Board. With no further business, the meeting was adjourned.

*Mac Warner*

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Mac Warner, Secretary of State  
And Ex-Officio Secretary of the  
Board of Public Works