

**West Virginia Board of Public Works  
Friday, September 29, 2017 – 10:00 a.m.  
Auditor's Conference Room  
Minutes**

**Attendees:**

Members

Mike Hall for Governor Jim Justice  
Secretary of State Mac Warner  
State Treasurer John D. Perdue  
State Auditor John B. McCuskey  
State Superintendent of Schools Dr. Steve L. Paine  
Norm Bailey for Commissioner of Agriculture Kent Leonhardt  
Kathy Schultz for Attorney General Patrick Morrisey

Guests

Jeff Amburgey, Tax Department  
Uriah Cummings, Tax Department  
Eric Hudnall, Division of Highways  
Russ Rollyson, Auditor's Office  
Lisa Amoroso, Governor's Office  
Steve Connolly, Secretary of State's Office  
Chuck Flannery, Secretary of State's Office  
Phil Kabler, WV Gazette

The West Virginia Board of Public Works met on Friday, September 29, 2017 at 10:00 a.m. in the Auditor's 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. The meeting was called to order and chaired by Mike Hall. A quorum of elected officials was established.

The first item on the agenda was the approval of minutes from the August 28, 2017 West Virginia Board of Public Works meeting. Treasurer Perdue made a motion to approve the minutes with Secretary Warner seconding. The motion carried.

The second item on the agenda was consideration of the formal receipt of the tentative assessments for public utilities for tax year 2018 as presented by the State Tax Department. Jeff Amburgey, Director of the Property Tax Division, addressed the Board. He explained that the Board of Public Works is statutorily responsible for the utility values. These values represent approximately 14% of the state's property tax revenue. The Department of Tax and Revenue issued notices of tentative assessed values to public utility companies operating in West Virginia on September 12, 2017. For Tax Year 2018, the total of all of the tentative utility assessments in the State was \$10,756,388,600. This represents an increase of \$285,269,000 over the final assessed values set by the Board of Public Works for tax year 2017. Mr. Amburgey explained that the increase this year is attributable to an increased capital investment in a couple of

industries, most notably the electric companies and the pipeline industry. The electric companies are continuing to add transmission lines throughout the state. The pipeline industry continues to lay more pipe to get Marcellus gas out of state. The increases have been offset this year by reduced railroad activity in the state. Railroad cars are not traveling through the state as much as they used to. In addition, there is a continued decline in the land line telephone business. The underground gas storage industry decreased as well. Mr. Amburgey continued that if the tentative values become finalized, this would increase property taxes statewide by approximately 6 million dollars. He explained that every year they have minor changes that they recommend after the protest hearing as a result of additional information they receive. Auditor McCuskey asked why there was a decrease in underground gas storage. He asked if the gas was being pulled out for use. Mr. Amburgey responded that according to a gas association website, the injections in to the gas storage fields were down in 2016 compared to 2015. Auditor McCuskey stated that the gas would actually have to be taken out in order for it to decrease versus increasing slower due to injecting less. Mr. Amburgey explained that it is also price and weather related. Treasurer Perdue made a motion to formally receive the tentative assessments for public utilities for tax year 2018 as presented by the Tax Department with Dr. Paine seconding. The motion carried.

The third item on the agenda was consideration of the following deed seeking approval by the Board of Public Works:

1. Between the Board of Education of the County of Randolph and the West Virginia Department of Transportation, Division of Highways, dated February 7, 2017, approved as to form by the Attorney General's Office September 21, 2017.

Eric Hudnall addressed the Board concerning the deed. He explained that this is a piece of property located in Randolph County adjacent to Valley Head Elementary School where the Division of Highways is replacing a bridge on US 219. They needed to acquire .0061 of an acre for a permanent non-controlled right-of-way and .0031 of an acre for a temporary construction easement. The total consideration paid was \$4,820.00. Treasurer Perdue made a motion to approve the deed with Secretary Warner seconding. The motion carried.

The final item on the agenda was pending litigation and legal impact of statutes. Auditor McCuskey made a motion that the Board adjourn into Executive Session for the discussion with Treasurer Perdue seconding. The motion carried.

The Board reconvened. Mr. Hall stated that no action had been taken during the Executive Session.

Dr. Paine made a motion that the Attorney General's office be given discretion to deal with a pending litigation matter with Treasurer Perdue seconding. The motion carried.

Treasurer Perdue made a motion that the Secretary of State proceed with a bill to address the requirement of sending certified or registered mail notices of delinquent utility taxes with Dr. Paine seconding. The motion carried.

With no further business, Treasurer Perdue made a motion to recess the meeting until the public hearing with Dr. Paine seconding. The motion carried. The meeting recessed.

*Mac Warner*

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