

**West Virginia Board of Public Works
Monday, December 2, 2019 – 2:00 p.m.
Governor’s Cabinet and Conference Room
Minutes**

Attendees:

Members

Governor Jim Justice
Secretary of State Mac Warner
Attorney General Patrick Morrisey
Commissioner of Agriculture Kent Leonhardt
State Auditor John B. McCuskey
Josh Stowers for State Treasurer John D. Perdue

Guests:

Commissioner Dale Steager, State Tax Department
Jeff Amburgey, State Tax Department
Randall Reid-Smith, Curator, WV Department of Arts, Culture and History
Regina Reynolds, Real Estate Division
Major Scott Applegate, National Guard, Adjutant General Dept.
Lt. Col. Rocky Hodges, National Guard, FMO Office
Mike Hall, Governor’s Office
Berkeley Bentley, Governor’s Office
Brian Abraham, Governor’s Office
Russ Rollyson, Auditor’s Office
Kathy Schultz, Attorney General’s Office
Jennifer Greenlief, Comm. Of Agriculture Office
Donald Kersey, Secretary of State’s Office
Chuck Flannery, Secretary of State’s Office
Maureen Lewis, Secretary of State’s Office
Steven Adams, Ogden Newspapers
Phil Kabler, Gazette Mail

The West Virginia Board of Public Works re-convened on Monday, December 2, 2019 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 Justice. A quorum of members was established.

The second item on the agenda was the approval of minutes from the November 4, 2019 WV Board of Public Works meeting. Commissioner Leonhardt made a motion to approve the minutes. Secretary Warner seconded. The motion carried.

The next item on the agenda was the consideration and approval of the final tax assessments for public utilities for tax year 2020 as recommended by the Tax Department. Governor Justice stated that the public hearing was held on November 4, 2019 to give the public utility companies a chance to comment on the tentative assessed values. No taxpayers attended the meeting. Attorney General Morrisey requested an explanation of the Tax Department’s recommended

changes to the tentative values. Jeff Amburgey addressed the Board. He stated that although there were no protests at the hearing, there was additional information received from companies after the tentative assessments went out. He explained that some companies file late or send additional information, or there could be a correction. Based on that, there are a few recommended changes. The changes represent a decrease in the assessed value of \$16,347,400. If the Board approves the recommendations, the final assessed value for 2020 would be \$12,548,849,500. That represents an increase of over 12% when compared to the Tax Year 2019 final assessed values. Secretary Warner asked for more information regarding two companies that each had a decreased value of over \$1,000,000. Mr. Amburgey explained that both of the railroad carline companies supplied additional information after the tentative assessments were sent. He continued by referencing the memo prepared by the Tax Department regarding the recommended adjustments. The telephone company, Lumos, used to be called Fibernet. The company did not file their return until September 12, 2019, the same day the tentative values were sent. Since there was no information about the company, the Tax Department had to use information from last year and estimate. Upon receiving the information, an adjustment was made. Auditor McCuskey clarified that the recommended change is to the value not the amount of taxes paid. Mr. Amburgey responded that the changes being discussed are just to the assessed value, but it will eventually change the amount paid. Governor Justice asked if the total decrease of over \$16,000,000 in assessed value will result in those companies being taxed at a lower rate. Mr. Amburgey stated that was correct. He continued that even with the recommended decrease, there is still an overall increase of \$11,305,100 over last year. Commissioner Leonhardt asked if the changes listed on the memo from the Tax Department were the only changes made to the tentative values. Mr. Amburgey responded that was correct.

Attorney General Morrissey made a motion to approve the tax assessments as recommended by the Tax Department for tax year 2020. Commissioner Leonhardt seconded the motion. The motion carried.

The next item on the agenda was the certification of tax rates on each class of property according to the provisions of W. Va. Code §11-8-8. Jeff Amburgey addressed the Board. He explained that approval of these levies are a requirement in code regarding the State rate portion of taxes. Attorney General Morrissey made a motion to approve the tax rates on each class of property. Secretary Warner seconded the motion. The motion carried.

The next item on the agenda was the consideration and approval of the following deed:

Between the City of Wheeling and the State of West Virginia, Public Land Corporation,
dated September 23, 2019, approved as to form by the Attorney General's office
November 6, 2019.

Randall Reid-Smith addressed the Board. He explained that the Department of Arts, Culture and History takes care of Independence Hall in Wheeling. This property is located adjacent to that. The building was in disrepair. The City would like to give it to the State. It will become part of Independence Hall. Secretary Warner made a motion to approve the deed. Commissioner Leonhardt seconded the motion. Auditor McCuskey asked if the City cared they will no longer receive property taxes from the building. Mr. Reid-Smith stated they did not. The vote was taken. The motion carried.

Governor Justice acknowledged the dedication and hard-work of Randall Reid-Smith. He thanked him for doing a wonderful job.

The final item on the agenda was the consideration and approval of the following contract of lease-purchase:

Between the West Virginia Economic Development Authority, as Lessor, and the State of West Virginia, for the use and benefit of the State Armory Board, as Lessee, dated September 19, 2019, approved as to form the Attorney General's office November 25, 2019.

Major Applegate addressed the Board. He explained that the State Armory Board had approved a resolution authorizing a twenty-five year contract of lease-purchase with the WV Economic Development Authority. This agreement will save the State about \$2,700 a month over the term of the contract. The property will be used to house troops. Secretary Warner made a motion to approve the contract of lease-purchase. Attorney General Morrissey seconded the motion. The motion carried.

With no further business, Attorney General made a motion to adjourn. Commissioner Leonhardt seconded. The motion carried. The meeting adjourned.



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