

**West Virginia Board of Public Works
Friday, December 4, 2020 – 10:00 a.m.
Governor’s Cabinet and Conference Room
Minutes**

Attendees:

Members

Governor Jim Justice
Secretary of State Mac Warner
State Treasurer John D. Perdue
Commissioner of Agriculture Kent Leonhardt
State Auditor John B. McCuskey
Kathy Schultz for Attorney General Patrick Morrisey
Dr. Jan Barth for State Superintendent of Schools W. Clayton Burch (via teleconference line)

Guests:

Dale W. Steager, WV Tax Commissioner
Leroy Barker, Director, Property Tax Div., Tax Department
Brian Abraham, Governor’s Office
Berkeley Bentley, Governor’s Office
Chad Toney, Division of Highways
Arlie Hubbard, Real Estate Division
Jennifer Greenlief, Comm. Of Agriculture’s Office
Russ Rollyson, Auditor’s Office
Jeff Waybright, Auditor’s Office
Donald Kersey, Secretary of State’s Office
Maureen Lewis, Secretary of State’s Office
Wendy Thomas, Garrett Reporting

The West Virginia Board of Public Works re-convened on Friday, December 4, 2020 at 10:00 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 Justice. A quorum of members was established.

The second item on the agenda was the approval of minutes from the September 30, 2020 Board of Public Works meeting. Commissioner Leonhardt made a motion to approve the minutes. Treasurer Perdue seconded. The motion carried.

The third item on the agenda was to receive comments from public utility companies concerning notices of tentative assessed values for tax year 2021. Dale Steager addressed the Board. He explained that subsequent to the Tax Department providing the Board with the tentative public utility assessed values for 2021 in September, they have received additional information. As a result of that information, the Department is recommending an adjustment to the tentative values from approximately 12.64 billion dollars to 12.438 billion dollars. The reduction is primarily attributed to 1 business that had reported their construction work in process as the cost of materials and labor, when only the materials can be considered. This resulted in a reduction of approximately 193.2 million dollars. He referenced a letter that was sent to the Board members

including an attachment showing the specific adjustments. Commissioner Steager introduced Leroy Barker. Governor Justice asked what the net effect of the adjustments is. Commissioner Steager responded that the net effect is that the total assessed value that is being recommended for tax year 2021 will be slightly less than the final assessed value for tax year 2020. Governor Justice asked what is projected to happen beyond this. Commissioner Steager replied that the numbers that have been developed are based on the income and expense information of the public service businesses for calendar year 2019. They don't yet know the results of the pandemic on income and expense items for 2020. He continued that he anticipates that there will be a reduction. There could be a reduction in the tentative assessed values for tax year 2022. Governor Justice responded that's what he was trying to figure out, the impact of Covid. Leroy Barker added that many companies had already asked for relief from this assessment because of the impact, but the assessments are based on 2019 numbers. He continued that certain industries were affected more than others. The assessments for tax year 2022 will show the impact of the pandemic, because they will reflect 2020 numbers. There was discussion about anticipated effects. Kathy Schultz referenced the decrease in the assessed value that had been presented. She asked what that decrease represents in actual tax dollars. Leroy Barker replied approximately 2 million dollars state wide over 12 months.

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

1. Between the West Virginia Economic Development Authority and the State of West Virginia, for the use and benefit of the Department of Health and Human Resources, dated September 17, 2020, approved as to form by the Attorney General's Office October 22, 2020.
2. Between Monongalia County Development Authority and the West Virginia Department of Transportation, Division of Highways, dated August 18, 2020, approved as to form by the Attorney General's Office December 1, 2020.

Arlie Hubbard addressed the Board regarding deed number 1. He explained that in 2005 the EDA received bonds to acquire and renovate property on the west side of Charleston for the State Medical Examiners Office. The bonds were paid off in June. The EDA is now transferring the property to the DHHR as stated in the lease agreement. Treasurer Perdue made a motion to approve the deed. Commissioner Leonhardt seconded. The motion carried.

Chad Toney addressed the Board regarding deed number 2. He explained that this transfer involves an industrial access road. The agreement was entered in to pursuant to statutory code relating to industrial access road funds. This is a no compensation transfer. Treasurer Perdue made a motion to approve the deed. Commissioner Leonhardt seconded. The motion carried.

The Board returned to item number 3 on the agenda for the purpose of providing an opportunity to any company that may have called in on the teleconference line to address them regarding their tentative assessed value. There were no companies present in person. Governor Justice called for anybody that would like to comment. There were no responses.

The fifth item on the agenda was pending legal matters regarding a proposed settlement from Via Airlines regarding the collection of property taxes due. Auditor McCuskey made a motion that

the Board go in to Executive Session for discussion. Commissioner Leonhardt seconded. The motion carried.

The Board re-convened from Executive Session. Governor Justice stated that no decisions had been made during the session.

Auditor McCuskey made a motion that the Board reject the offer from the defendant and proceed under the Judges scheduling order as issued from the bench. Treasurer Perdue seconded the motion. The motion carried.

With no further business, Auditor McCuskey made a motion to recess until the next meeting with Secretary Warner seconding. The motion carried. The meeting recessed.



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