

**West Virginia Board of Public Works
Monday, February 24, 2025 – 1:30 p.m.
Governor's Cabinet and Conference Room
Minutes**

Attendees:

Members

Governor Patrick Morrisey
Secretary of State Kris Warner
State Superintendent of Schools Michele Blatt
State Treasurer Larry Pack
State Auditor Mark Hunt
Attorney General J.B. McCuskey
Lora Walker for Commissioner of Agriculture Kent Leonhardt

Guests:

Commissioner Matthew Irby, State Tax Department
Frank Capehart, State Tax Department
Ting Zhu, State Tax Department
Chad Toney, Division of Highways
Steve Buchanan, Civil Environmental Consultants Inc.
Stephen Higgins, Kay Casto & Chaney PLLC
Cassandra Means-Moore, Attorney General's Office
Greg Hoyer, Hope Gas
Alex Zurbaugh, Frontier Entities
Lora Lane, Auditor's Office
Christal Perry, Auditor's Office
Dave Cole, Auditor's Office
Scott Caudill, Auditor's Office
Sean Whelan, Governor's Office
Dave Cook, Secretary of State's Office
Maureen Lewis, Secretary of State's Office

The West Virginia Board of Public Works re-convened on Monday, February 24, 2025 at 1:30 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 Morrisey. A quorum of members was established.

The second item on the agenda was the approval of minutes from the December 4, 2024 WV Board of Public Works meeting. Auditor Hunt made a motion to approve the minutes. Treasurer Pack seconded the motion. The motion carried.

The third item on the agenda was the discussion, review and vote on the final tax assessments for public utility companies for tax year 2025. Commissioner Irby addressed the Board concerning the final 2025 assessments. He referred to a document prepared by the Tax Department and distributed to Board members containing recommended final values and a listing of recommended adjustments to the tentative assessments. The adjustments bring the final value to \$14,789,573,826. That represents an approximate 4.8% increase over the prior year. He continued that there are a number of adjustments. Some are clerical errors, some are related to litigation settlements, and a few companies

provided additional information. Governor Morrissey asked, given the growth in property tax values, if that is consistent from year to year. He asked if there was anything unusual over the last year. Commissioner Irby replied that there was nothing unusual. He continued that they do try to look at the outlay of the utility ranges and their investment in the State. The increase in each of those segments is consistent with the investment made each year. Governor Morrissey asked if there were any questions for Commissioner Irby. There were none.

Auditor Hunt made a motion to approve the recommended final assessments for public utility companies for tax year 2025. Attorney General McCuskey seconded the motion. The motion carried.

The next item on the agenda was to certify tax rates on each class of property according to the provisions of W. Va. Code §11-8-8. Governor Morrissey stated that this is a function that is already set in statute. There is no ability to do anything substantive. It is just repeating what is set in statute. He suggested that this may be something that should be changed in code. He read the rates that are set in W. Va. Code §11-8-6a.

Secretary Warner made a motion to certify the statutory tax rates. Treasurer Pack seconded the motion. The motion carried.

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

1. Between the West Virginia Department of Transportation, Division of Highways and the Town of Burnsville dated January 8, 2025, approved as to form by the Attorney General's Office January 27, 2025.
2. Between the West Virginia Department of Transportation, Division of Highways and the Town of Burnsville dated January 8, 2025, approved as to form by the Attorney General's Office January 27, 2025.
3. Between Gilmer County Economic Development Association and the West Virginia Department of Transportation, Division of Highways dated June 4, 2024, approved as to form by the Attorney General's Office February 18, 2025.
4. Between McDowell County Board of Education and the West Virginia Department of Transportation, Division of Highways dated February 3, 2025, approved as to form by the Attorney General's Office February 18, 2025.
5. Between the West Virginia Economic Development Authority, and the State of West Virginia, acting by and through the Department of Administration and the Town of West Union, approved as to form prior to acknowledgment by the Attorney General's Office February 18, 2025.

Chad Toney addressed the Board concerning deeds 1 - 4. He explained that the first two deeds involve the sale of excess property to the Town of Burnsville for pumping station areas. The third deed with the Gilmer County Economic Development Association involves the Glenville Truss Bridge project. Deed four with the McDowell County Board of Education involves the Anthony Barton Memorial Bridge project.

Treasurer Pack made a motion to approve deeds 1 through 4. Secretary Warner seconded the motion. The motion carried.

Stephen Higgins addressed the Board concerning deed number 5. He explained that the Town of West Union has been servicing and maintaining a pump station outside of the North Central Regional Jail for several years. It has suffered significant damage due to items that are flushed through the toilets in the jail into the pump station which caused the requirement to replace the pump station. He continued that there is funding in place for that. They are looking to take title of the tract of land described in the deed with access right of way to access it. They are expecting to construct a new pump station in a few months.

Auditor Hunt made a motion to approve deed number 5. Attorney General McCuskey seconded the motion. The motion carried.

Auditor Hunt made a motion that the Board go into executive session to hear advice of counsel, the Attorney General, regarding consideration of settlements. Attorney General McCuskey seconded. The motion carried. The Board went into executive session.

The Board came out of executive session. Governor Morrissey stated that no action was taken during the executive session.

Treasurer Pack made a motion to approve and authorize the Governor to sign a settlement agreement for Hope Gas. Auditor Hunt seconded the motion. The motion carried.

Treasurer Pack made a motion to approve and authorize the Governor to sign a settlement agreement for Frontier West Virginia. Attorney General McCuskey seconded the motion. The motion carried.

Attorney General McCuskey made a motion to approve and authorize the Governor to sign a settlement agreement for Citizens Telecommunications Company. Secretary Warner seconded the motion. The motion carried.

Auditor Hunt made a motion to authorize the Attorney General's office to negotiate a settlement with MCI Communications. Attorney General McCuskey seconded the motion. The motion carried.

The final item on the agenda was for adjournment. Treasurer Pack made a motion to adjourn. Secretary Warner seconded the motion. The motion carried. The meeting was adjourned.



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