

West Virginia Board of Public Works
Thursday, July 1, 2021 – 1:00 p.m.
Governor's Cabinet and Conference Room
Minutes

Attendees:

Members

Jim Justice, Governor
Patrick Morrissey, Attorney General
Kent Leonhardt, Commissioner of Agriculture
John B. McCuskey, State Auditor
Riley Moore, State Treasurer
Clayton Burch, State Superintendent of Schools by teleconference line
Donald Kersey for Secretary of State Mac Warner

Guests

Chad Toney, Division of Highways
Jennifer Greenlief, Comm. Of Agriculture's Office
Berkeley Bentley, Governor's Office
Gary Furbee, WVU
Christa Kwiatkowski, Fairmont State University
Kathy Schultz, Attorney General's Office
Doug Buffington, Attorney General's Office
Sterling Fitzwater, Intern, WV State Bar
Michael Heidenreich, Intern, WV State Bar
Audra Grim, Intern, Secretary of State's Office
Bailey Gilchrist, Intern, Secretary of State's Office
Maureen Lewis, Secretary of State's Office

The West Virginia Board of Public Works met on Thursday, July 1, 2021 at 1:00 p.m. in the Governor's Cabinet and Conference Room of the State Capitol Complex. The meeting was called to order and chaired by Governor Justice. A quorum of members was established.

The first item on the agenda was the approval of minutes from the January 29, 2021 West Virginia Board of Public Works meeting. Commissioner Leonhardt made a motion to approve the minutes. Attorney General Morrissey seconded. The motion carried.

The second item on the agenda was consideration of the following deeds listed 1 through 8 seeking approval by the Board of Public Works.

1. Between the Town of Bath and the West Virginia Department of Transportation, Division of Highways, dated September 16, 2020, approved as to form by the Attorney General's office April 12, 2021.

2. Between the Morgan County Building Commission and the West Virginia Department of Transportation, Division of Highways, dated October 26, 2020, approved as to form by the Attorney General's office April 12, 2021.
3. Between the County Commission of McDowell County and the West Virginia Department of Transportation, Division of Highways, dated January 14, 2021, approved as to form by the Attorney General's office March 22, 2021.
4. Between the City of Moundsville Building Commission and the West Virginia Department of Transportation, Division of Highways, dated October 1, 2020, approved as to form by the Attorney General's office May 21, 2021.
5. Between West Virginia Department of Health and Human Resources and the West Virginia Department of Transportation, Division of Highways, dated May 25, 2021, approved as to form by the Attorney General's office June 22, 2021.
6. Between the West Virginia Department of Transportation, Division of Highways and the Board of Education of the County of Nicholas, WV, dated June 8, 2021, approved as to form by the Attorney General's office June 22, 2021.
7. Between the Fairmont State University Board of Governors, on behalf of Fairmont State University and the Pierpont Community and Technical College Board of Governors, on behalf of Pierpont Community and Technical College, approved as to form by the Attorney General's Office May 21, 2021.
8. Between the West Virginia University Board of Governors, on Behalf of West Virginia University and the City of Montgomery.
*This deed has not been approved as to form by the Attorney General's Office. It does not contain a reversionary clause.

Governor Justice stated that full details regarding the deeds had been distributed and representatives were present to answer any questions. Attorney General Morrissey noted that deed number 8 had a different circumstance. He made a motion to consider deeds number 1 through 7 on the agenda for a variety of transfers all at the same time. Treasurer Moore seconded. The motion carried.

Attorney General Morrissey made a motion to approve the transfers in deeds 1 through 7. Commissioner Leonhardt seconded. The motion carried.

Governor Justice called for discussion and questions regarding deed number 8. Attorney General Morrissey stated that he just wanted to point out that the transfer between WVU and the Board of Governors, and the City of Montgomery was not approved as to form by the AG's office because it doesn't contain a reversionary clause. It doesn't prevent the transfer from moving forward. It's a matter of practice, to protect the State's interest. He did not see any issues with the transfer. Governor Justice asked why it did not have the reversionary clause. Donald Kersey stated he believed the property originally belonged to the City of Montgomery. It is now going back to them since WVU left. It is a building in Montgomery that was used as a library for WVU Tech.

Commissioner Leonhardt made a motion to approve the deed. Attorney General Morrissey seconded. The motion carried.

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



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