

**West Virginia Board of Public Works  
Wednesday, April 4, 2012 – 10:00 a.m.  
Governor's Cabinet and Conference Room  
Minutes**

**Attendees:**

Members

Gus R. Douglass, Commissioner of Agriculture  
Natalie E. Tennant, Secretary of State  
Darrell V. McGraw, Jr., Attorney General  
Glen B. Gainer III, State Auditor  
Dr. Jorea Marple, State Superintendent of Schools  
John D. Perdue, State Treasurer  
G. Kurt Dettinger, General Counsel for Governor Earl Ray Tomblin

Guests

David Neil, Division of Highways  
Jeff Amburgey, Tax Department  
Kathy Schultz, Attorney General's Office  
Wayne Williams, Attorney General's Office  
Dawn Warfield, Attorney General's Office  
Sandy Marinacci, Dept. of Agriculture  
Danny Ellis, Treasurer's Office  
Russ Rollyson, Auditor's Office  
Ashley Summitt, Secretary of State's Office  
Sheryl Webb, Secretary of State's Office  
Ashley Parsons, Secretary of State's Office  
Jake Glance, Secretary of State's Office  
Judy Cooper, Secretary of State's Office  
Shaina Taylor, Secretary of State's Office

The West Virginia Board of Public Works met on Wednesday, April 4, 2012 at 10:00 a.m. in the Governor's Cabinet and Conference Room of the State Capitol Complex. Due to the absence of Governor Tomblin, the meeting was called to order and chaired by the Commissioner of Agriculture, Gus R. Douglass. A quorum of members was established.

The first item on the agenda was the approval of the minutes from the February 29, 2012 West Virginia Board of Public Works meeting. Auditor Gainer moved to approve the minutes with Treasurer Perdue seconding the motion. The motion carried.

The second item on the agenda was the approval of the certification of the levy rate on each class of property pursuant to the provisions of §11-8-8 of the West Virginia Code. Jeff Amburgey, Director of the Property Tax Division of the State Tax Department, addressed the Board. He explained that the referenced section of code states that the Board shall certify these tax rates. These are the property tax rates that apply to all property. This is the State portion of the rates that are set in §11-8-6a of the West Virginia Code. The only exception there could be for not certifying the rates is a paragraph in the code states that if the revenues from this source are insufficient to cover sink funds on state road bonds issued prior to 1932 then the Board can certify another rate. However, there are no such bonds outstanding so

these are the rates that must be approved. Treasurer Perdue made a motion to certify the tax levy rates as set forth by the Tax Commissioner with Secretary Tennant seconding. The motion carried.

The third item on the agenda was approval of the following deed:

Between the Philippi-Barbour Airport Authority and the West Virginia Department of Transportation, Division of Highways, dated March 29, 2012, approved as to form by the Attorney General's office March 30, 2012.

David Neil, Director of Right of Way for the Division of Highways addressed the Board. He explained that this is for an industrial access road improvement into the Philippi-Barbour Airport. Secretary Tennant asked how soon this project would be completed. Mr. Neil stated they are ready to go to construction. It's moving very fast. Secretary Tennant made a motion to approve the deed with Auditor Gainer seconding. In discussion, Treasurer Perdue asked if all of the concerns about the Mt. Olive church and cemetery had been cleared up. Mr. Neil stated they had. He explained that the Philippi-Barbour Airport Authority acquired the right of way from the church. In keeping with the State Code on industrial access road funds, the State cannot expend money on the right of way for an industrial access road as we're spending our industrial road access money for the construction. Any relocation of utilities involved is also borne by the requesting agency which would be the Philippi-Barbour Airport Authority. With no further discussion, the motion carried.

The final item on the agenda was an Executive Session for the discussion of pending legal matters. Treasurer Perdue made a motion that the Board go in to Executive Session with Auditor Gainer seconding. The motion carried. The Board went in to Executive Session.

The meeting was called back to order by Commissioner Douglass at approximately 10:40 a.m.

With no further business, the meeting was adjourned.



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Natalie E. Tennant, Secretary of State and  
Ex-Officio Secretary of the West Virginia  
Board of Public Works