

**MINUTES**  
**School Building Authority of West Virginia**

**Special Meeting**  
**Monday, October 22, 2018**  
**10:00 a.m.**

**Held at:**  
**2300 Kanawha Boulevard, East**  
**Charleston, West Virginia**

**I. CALL TO ORDER**

Chairman Brian Abraham called the Special Meeting to Order at 10:00 a.m. Monday, October 22, 2018. The following Authority Members were present: Chairman Abraham; Dr. Steven Paine; Chris Morris; and Bart Willis with the following participated via phone: Steve Burton; Robert Holroyd; Victor Gabriel; David Perry and Miller Hall. The following Staff of the SBA were also present: David L. Roach, Executive Director; Ben Ashley; Mike Hall; Dana Womack; Angie Bradley; and Tammy Brewer.

Also attending: Gus Penix, President Nicholas County BOE; Libby Coffman, Nicholas County BOE; Donna Burge-Tetrick, Superintendent Nicholas County BOE; Jim Cox, Nicholas County Resident; Heather Glasko-Tully, Nicholas County Resident; Arthur L. Roger, Jr., Nicholas County BOE; Susie Rogers, Nicholas County Resident; Carol Bay, Nicholas County Resident; David Bay Nicholas County Resident; David Ferguson, ZMM, INC.; John Dietz; Kelli Talbott, West Virginia Attorney General Office; Kevin Hess, Nicholas County BOE; Chris Hanshaw, Nicholas County BOE; Phil Berry, Nicholas County BOE; Adam Krason, ZMM, INC.; Rebecca Tinder, Bowles Rice, LLP; and James Barber, Law Office of J.M. Barber; Ryan Quinn, Charleston Gazette-Mail participating via phone G. Stuart "Stu" Matthis II, STV Group.

Chairman Abraham instructed the Authority that the purpose of this meeting was that the School Building Authority (SBA) had received on September 25, 2018 a Notice of Intent to Initiate Litigation, which had been filed with the West Virginia Attorney General's Office, in reference to the September 4, 2018 SBA Tele-Conference Meeting.

**II. PRESENTATIONS**

Chairman Abraham recognized James Barber of the Law Office of J.M. Barber. Mr. Barber introduced Stuart Matthis II with STV Group of Charlotte, North Carolina. Mr. Matthis reviewed his "Selected Site Evaluation" Report for the two school sites in Richwood via-phone with the Authority. The Authority was provided a copy of this report.

**III. NEW BUSINESS**

Nicholas County's Alternative Procedure (428) Agreement

Executive Director Roach notified the Authority that Nicholas County Board of Education was requesting approval of the Implementation of Public Assistance Alternative Procedure for Permanent Work (Stafford Act, Title IV, Section 428, v3, 2016) for construction of facilities, compliant with the CEFPA Amendment and mediated agreement previously approved by the Nicholas County Board of Education, the West Virginia Board of Education, and the School Building Authority of West Virginia. The 428 Agreement and Attachments, as listed on Page 10 of the Agreement, were provided as Attachments.

Upon a motion by Dr. Steve Paine, with a second by Mr. David Parry, the Authority voted unanimously to approve the Nicholas County Board of Education's Implementation of Public Assistance Alternative Procedure for Permanent Work (Stafford Act, Title IV, Section 428, v3, 2016) for construction of facilities, compliant with the CEFPA Amendment and mediated agreement previously approved by the Nicholas Board of Education, the West Virginia Board of Education, and the School Building Authority of West Virginia.

IV.

**ADJOURNMENT**

There being no further business to come before the Authority and upon a motion by Dr. Steve Paine, with a second from Mr. Bart Willis, the Authority voted to adjourn the October 22, 2018 Special Meeting of the School Building Authority of West Virginia.

Minutes Approved December 10, 2018



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Mr. Brian Abraham, Governor's Designee  
School Building Authority of West Virginia