

October 31, 2012

NOV 01 2012

West Virginia Development Office  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0311

Re: Annual Tax Increment Financing Report, Harrison County, West Virginia for  
Harrison County Development District No. 2 "Charles Pointe Project No. 1"  
Harrison County Development District No. 3 "White Oaks Project No. 1"

Dear Members of the Tax Incremental Financing Committee:

Pursuant to West Virginia Code §7-11B-15 the Harrison County Commission makes the following report for the time period covering July 1, 2011 to June 30, 2012.

**1. The aggregate amount and the amount by source of revenue in the tax increment financing fund:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
**TOTAL** - \$678,186.71 of which \$677,696.15 is tax collections and \$490.56 is interest.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
**TOTAL** - \$230,219.43 of which \$230,043.66 is tax collections and \$175.77 is interest.

**2. The amount and purpose of expenditures from the tax increment financing fund:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
**TOTAL:** \$678,186.71  
**PURPOSE:** Payment to Trustee on monthly basis.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
**TOTAL:** \$230,219.43  
**PURPOSE:** Payment to Trustee on monthly basis.

**3. The amount of any pledge of revenues, including principal and interest on any outstanding tax increment financing indebtedness: None reported.**

4. **The base-assessed value of the development or redevelopment project, or the development or redevelopment project area or district, as appropriate:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*

<b>Base Assessed Value (2005):</b>	<b>Personal Property</b>	<b>Real Property</b>
Class I	\$0.00	\$0.00
Class II	\$0.00	\$310,980.00
Class III	\$129,715.00	\$0.00
Class IV	<u>\$0.00</u>	<u>\$3,741,780.00</u>
<b>TOTAL:</b>	\$129,715.00	\$4,052,760.00

*Harrison County Development District No. 3 "White Oaks Project No. 1"*

<b>Base Assessed Value (2007):</b>	<b>Personal Property</b>	<b>Real Property</b>
Class I	\$0.00	\$0.00
Class II	\$0.00	\$17,480.00
Class III	\$0.00	\$0.00
Class IV	<u>\$0.00</u>	<u>\$169,820.00</u>
<b>TOTAL:</b>	\$0.00	\$187,300.00

5. **The assessed value for the current tax year of the development or redevelopment project property, or of the taxable property having a tax situs in the development or redevelopment project area or district, as appropriate:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*

<b>Assessed Value (2012):</b>	<b>Personal Property</b>	<b>Real Property</b>
Class I	\$0.00	\$0.00
Class II	\$0.00	\$14,279,160.00
Class III	\$0.00	\$0.00
Class IV	<u>\$6,153,938.00</u>	<u>\$35,236,740.00</u>
<b>TOTAL:</b>	\$6,153,938.00	\$49,515,900.00

*Harrison County Development District No. 3 "White Oaks Project No. 1"*

<b>Base Assessed Value:</b>	<b>Personal Property</b>	<b>Real Property</b>
Class I	\$0.00	\$0.00
Class II	\$0.00	\$22,580.00
Class III	\$0.00	\$0.00
Class IV	<u>\$4,141,111.00</u>	<u>\$20,180,700.00</u>
<b>TOTAL:</b>	\$4,141,111.00	\$20,203,280.00

6. **The assessed value added to base-assessed value of the development or redevelopment project, or the taxable property having a tax situs in the development or redevelopment area or district, as appropriate:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*

<b>Assessed Value:</b>		<b>Personal Property</b>	<b>Real Property</b>
	<b>Class I</b>	\$0.00	\$0.00
	<b>Class II</b>	\$0.00	\$14,590,140.00
	<b>Class III</b>	\$129,715.00	\$0.00
	<b>Class IV</b>	<u>\$6,153,938.00</u>	<u>\$38,978,520.00</u>
	<b>TOTAL:</b>	\$6,283,653.00	\$53,568,660.00

*Harrison County Development District No. 3 "White Oaks Project No. 1"*

<b>Base Assessed Value:</b>		<b>Personal Property</b>	<b>Real Property</b>
	<b>Class I</b>	\$0.00	\$0.00
	<b>Class II</b>	\$0.00	\$40,060.00
	<b>Class III</b>	\$0.00	\$20,060.00
	<b>Class IV</b>	<u>\$4,141,111.00</u>	<u>\$20,350,520.00</u>
	<b>TOTAL:</b>	\$4,141,111.00	\$20,350,520.00

7. **Payments made in lieu of taxes received and expended:** None reported.
8. **Reports on contracts made incidental to the implementation and furtherance of a development or redevelopment plan or project:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
See Attached EXHIBIT "A", response from Genesis Partners.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
See Attached EXHIBIT "B", response from High Tech Corridor Development, LLC.

9. **A copy of any development or redevelopment plan, which shall include the required findings and cost-benefit analysis:** All plans have already been submitted to the West Virginia Development Office and should be of record for review and comment.
10. **The cost of any property acquired, disposed of rehabilitated, reconstructed, repaired or remodeled:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
See Attached EXHIBIT "A", response from Genesis Partners.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
See Attached EXHIBIT "B", response from High Tech Corridor Development, LLC.

**11. The number of parcels of land acquired by or through initiation of eminent domain proceedings:** None

**12. The number and types of jobs projected by the project developer to be created, if any, and the estimated annualized wages and benefits paid or to be paid to persons filling those jobs:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
See Attached EXHIBIT "A", response from Genesis Partners.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
See Attached EXHIBIT "B", response from High Tech Corridor Development, LLC.

**13. The number, type and duration of jobs created, if any, and the annualized wage and benefits paid:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
See Attached EXHIBIT "A", response from Genesis Partners.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
See Attached EXHIBIT "B", response from High Tech Corridor Development, LLC.

**14. The amount of disbursement from the tax incremental financing fund during the most recently completed fiscal year, in the aggregate and in such detail as the executive director of the development office may require:** Other than the disbursements listed in Paragraph #2 above the Harrison County Commission is unaware of any other disbursements.

**15. An annual statement showing payment made in lieu of taxes received and expended during the fiscal year:** See response to Paragraph #7 above.

**16. The status of the development or redevelopment plan and projections therein:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*  
See Attached EXHIBIT "A", response from Genesis Partners.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*  
See Attached EXHIBIT "B", response from High Tech Corridor Development, LLC.

**17. The amount of outstanding tax increment financing obligations:**

*Harrison County Development District No. 2 "Charles Pointe Project No. 1"*

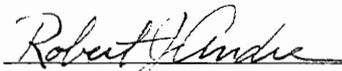
This Harrison County Commission, through the Sheriff & Treasurer of Harrison County is unaware of any outstanding tax increment financing obligations.

*Harrison County Development District No. 3 "White Oaks Project No. 1"*

This Harrison County Commission, through the Sheriff & Treasurer of Harrison County is unaware of any outstanding tax increment financing obligations.

**18. Any additional information the county commission or municipality preparing the report deems necessary or that the executive director of the development office may by procedural rule require: None**

Respectfully Submitted,  
Harrison County Commission

By:   
Robert J. Andre, III, Member  
Steptoe & Johnson, PLLC  
400 White Oaks Blvd.  
Bridgeport, WV 26330

cc: Harrison County Commission

# GENESIS PARTNERS®

October 19, 2012

Mr. Robert J. Andre, Of Counsel  
Steptoe & Johnson, PLLC  
400 White Oaks Blvd.  
Bridgeport, WV 26330

Re: The County Commission of Harrison County  
Development District No. 2 - Charles Pointe  
Charles Pointe Project No.1

Dear Mr. Andre,

We are in receipt of your letter dated October 1, 2012 (copy enclosed) requesting information from our office for inclusion in a yearly T.I.F. report to be prepared by the County Commission pursuant to West Virginia Code §7-11B-15. In response to your request, we offer the following information relating to the current reporting year:

1. Report on contracts made incidental to the implementation and furtherance of a development or redevelopment plan(s) or project(s):
  - *In strict accordance with the "Memorandum of Understanding" dated September 1, 2005, Chapter 5G- Article 1, Chapter 5- Article 22 and Chapter 5- Article 22A of the West Virginia Code, as applicable; as well as Chapter 21-Article 5A (West Virginia State Prevailing Wage), Chapter 21-Article 1C (West Virginia Jobs Act), and Chapter 7-Article 11B (West Virginia Tax Increment Financing Act) of the West Virginia Code, Genesis Partners, Limited Partnership executed a contract with Gold Diggers, Inc .on March 13, 2008, in the amount of \$6,521,825.00, for the "Charles Pointe South Phase I Infrastructure Project". On October 9, 2008, Contract Change Order No. 7 was executed for the additional work required for completion of the Project as described in the Series 2008B Tax Increment Revenue and Refunding Bonds documentation.*

P.O. Box 1000 • Bridgeport, West Virginia 26330  
Phone: (304) 842-0880 • Fax: (304) 842-0624 • [www.genesis-partners.com](http://www.genesis-partners.com)

CHARLES  POINTE®

EXHIBIT A

2. A Copy of any development or redevelopment plan, which shall include the required findings and cost-benefit analysis:
  - *The Charles Pointe plan is consistent with that as represented by the approved Tax Increment Financing Application*
  
3. The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired, or remodeled:
  - *No property acquisition, disposition, rehabilitation, reconstruction, repair, or remodeling has occurred during the current reporting year.*
  
4. The number and types of jobs projected by the project developer to be created and the estimated annualized wage and benefits paid:
  - *Section II B (2) of the above referenced tax increment financing application includes estimated employment impacts resulting from the development of Charles Pointe. A copy of Section II B (2) is enclosed and marked as **Exhibit A**.*
  
5. The number, type and duration of the jobs created and the annualized wage and benefits:
  - *Charles Pointe currently supports over 440 direct jobs and an estimated 1000 plus indirect jobs.*
  
6. The status of the development or redevelopment plan and projects therein:
  - *Charles Pointe is a 1,700 acre master planned, mixed use, pedestrian friendly development combining residential, retail, office, and hospitality uses with amenities such as parks, schools, trails, community facilities, and recreational facilities. The Charles Pointe goal is to create an exemplary development that provides a sustainable environment to live and work thus attracting talent and businesses while creating jobs.*
  - *Charles Pointe, a \$1.4 billion Master Planned Community, encompasses over 1700 acres strategically located in the heart of north-central West Virginia's growth area adjacent to and immediately accessible from interstate I-79 (six lanes), WV Route*

279 (four lanes), WV State Route 131 (two lanes) and the North Central West Virginia Regional Airport (7000' runway). Key access points throughout the development allow for great community and business access to healthcare and emergency services including the new United Hospital Center and the new Bridgeport Emergency Services Facility.

- Several major West Virginia employers are located at Charles Pointe including Petroleum Development Corporation, Toothman Rice, Harrison Rural Electrification, the Bridgeport Conference Center, Fairmont Federal Credit Union, and several other retailers, doctor's offices, daycare facilities, and small businesses. Key employers located within a one mile radius of Charles Pointe include Bombardier, Pratt & Whitney, Aurora Flight Services, the FBI, the new WVU related United Hospital Center, the new Steptoe & Johnson corporate offices and various related businesses.
- The master plan area is located entirely within the City of Bridgeport, Harrison County, West Virginia and all appropriate zoning has been established and approved via two Planned Unit Developments (PUD's). Currently the maximum allowable densities are approximately 2,300 residential units and 2.7 million square feet of commercial/office/retail use. Approximately 30% of the total area (over 400 acres) will be green space including park areas, trails and recreation.
- State of the art utility provisions are presently available to support the master plan, all underground. Infrastructure extension plans, including broadband voice, video, and data to the premise, within the development have been prepared and continue in various stages of construction. All Environmental clearances have been obtained, including the Army Corp of Engineers, for the entire master plan area as well as complete build out from the West Virginia DOH.
- Meticulous efforts in design and engineering of infrastructure encourage safe and efficient pedestrian movement through-out the community. Charles Pointe has planned over 20 miles of trails and sidewalks to promote a healthy community with initial phases

*of construction either complete or underway. To date, over 6 miles of trails and sidewalks have been constructed.*

- *Building construction commenced in late 2004 on 156 acres north of Route 279 and is progressing quite well with multiple buildings and housing units complete or in various stages of construction. Non-residential construction completed to date totals nearly 275,000 square feet. Names, addresses, phone numbers, and primary line of business information for owners and lessees are included in the enclosed **Exhibit B**. Over 210 residential units have been constructed to date and lots have been fully developed to allow for the construction of an additional 75 residential units. Homes have been sold in four neighborhoods and building lots have been fully developed in two additional neighborhoods including expansion of existing multifamily neighborhoods. Phase I construction is complete on the 40 acre "Bridgeport Recreation Complex at Charles Pointe". This key amenity to the community and region opened in spring of 2012.*
- *Charles Pointe is a true public / private partnership supported by multiple private and public funding sources. Prior to 2012, Charles Pointe had attracted over \$128 million in public infrastructure funding of which over \$53 million has been expended. Modification of the County Economic Opportunity Development District Act, Chapter 7, Article 22 of the Code of West Virginia, 1931, as amended (the "Act"), during the 2012 state legislative session now allows for the creation of the "Charles Pointe Economic Opportunity Development District" to provide additional financing of development expenditures and other costs permitted by the Act. Private investments to date total over \$230 million of which over \$80 million is building construction.*
- *Our related companies have been successfully working together in West Virginia since 1942. For our founder C.E. "Jim" Compton, it was not merely about the financial contribution, it was most definitely about improving the quality of life for his fellow man. With this strong heritage we truly understand the value of relationships and getting things done. We are dedicated to excellence through quality – creating value for our customers, employees, business partners and share holders. Our planning efforts with West Virginia University, Carnegie Mellon University,*

# HIGH TECH CORRIDOR DEVELOPMENT, LLC

30 Columbia Boulevard  
P. O. Box 1532  
Clarksburg, WV 26302-1532  
Phone: (304) 624-4108

October 30, 2012

Robert J. Andre, Of Counsel  
Steptoe & Johnson, PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330

RE: Annual TIF Reporting – Harrison County Development  
District No. 3 “White Oaks Project No. 1”

Dear Mr. Andre:

I am pleased to report the following information which you requested regarding the above referenced TIF project. The report includes information known to us regarding contracts for both the TIF and non-TIF projects information with respect to jobs created pursuant to TIF projects and non-TIF projects. For some of the non-TIF projects we do not have the number of employees or specific wage and benefits information. This report covers the period from our last report dated September 29, 2011. Responding in the order of you request the information is as follows:

1. There have been no new contracts entered into for TIF qualified improvements and the Summary provided last year still applies.
2. There have been no changes in the development or to the redevelopment plan from that which have been previously submitted and there have been no required binding or cost benefit analysis.
3. There has been no TIF qualified property acquired or disposed of during the reporting.
4. There have been no parcels of land acquired by or through initiation of eminent domain proceedings.

**EXHIBIT B**

Robert J. Andre, Of Counsel

Page 2

October 30, 2012

5. There have been no new jobs created by TIF qualified projects.

6. The number of jobs created by TIF qualified activities are approximately 687.

In summary, the TIF qualified construction is complete and non-TIF construction activity and investment remain. During the reporting period three office buildings have been completed having an approximate cost of \$12,000,000. Additionally the bank, restaurant and hotel under construction during the last reporting period have been completed. As of this report date a 30,000 square foot office building is under construction and leases have been signed that will allow for construction of two additional office buildings totaling 50,000 square feet. The total non-TIF investment in these office buildings is approximately \$20,000,000.

If I can provide any further information or if there are specific questions, do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'H. Wood Thrasher', written in a cursive style.

H. Wood Thrasher



# HARRISON COUNTY SHERIFF AND TREASURER

**ALBERT F. MARANO**  
TAX DEPARTMENT

301 WEST MAIN STREET  
CLARKSBURG, WEST VIRGINIA 26301  
PHONE (304) 624-8685 FAX (304) 624-8730  
[www.harrisoncountywv.com](http://www.harrisoncountywv.com)

October 3, 2012

Robert Andre  
Steptoe & Johnson, PLLC  
400 White Oaks Blvd.  
Bridgeport, WV 26330

Re: Annual TIF Reporting for Fiscal Year Ended June 30, 2012

Dear Bob:

Per your request dated October 1, 2012 regarding the yearly TIF Report, I offer the following as my response. All responses are for the time period of July 1, 2011 to June 30, 2012.

- ✓ 1. Aggregate amount and amount by source of revenue:
  - a. Charles Pointe – Total - \$678,186.71 of which \$677,696.15 is tax collections and \$490.56 is interest.
  - b. White Oaks – Total \$230,219.43 of which \$230,043.66 is tax collections and \$175.77 is interest.
- ✓ 2. Amount and purpose of expenditures :
  - a. Charles Pointe - \$678,186.71 paid to the Trustee, distributed on a monthly basis.
  - b. White Oaks - \$230,219.43 paid to the Trustee, distributed on a monthly basis.
- ✓ 3. This office is unaware of any pledge of revenues on any outstanding tax increment financing indebtedness for any of the TIF Districts.
- ✓ 4. There have been no payments in lieu of taxes received or expended by this office in any of the TIF Districts.
- ✓ 5. Because there have been no payments in lieu of taxes as noted in the response to Question #4, there is no annual statement.
- ✓ 6. This office is unaware of the amount of outstanding tax increment financing obligations for any of the TIF Districts.

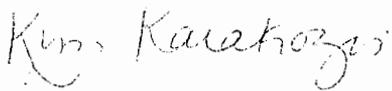
**ATTACHMENT 1**

7. Other than the disbursements of the taxes and interest collected by this office and sent to the Trustee as noted in response to Question #2, this office is unaware of any other disbursements.

I have enclosed a copy of the Annual Sheriff's Settlement including only the Charles Pointe and White Oaks TIF Districts for the fiscal year ended June 30, 2012. This office is unaware of the tax incremental financing principal outstanding as of the close of last fiscal year.

Should you need any further information, please feel free to contact me. Thank you.

Sincerely,



Kim Karakiozis  
Chief Tax Deputy

**SHERIFF'S SETTLEMENT**

West Virginia Code §6-8-5				
Line No.	Harrison County, West Virginia Albert F. Marano, Sheriff For the period of : July 1, 2011 Through June 30 , 2012	Acct. Nos.	No. 274	No. 275
			TIF Fund Charles Pointe Fund #2	TIF Fund White Oaks Fund #3
1	Unpaid Taxes 07/01/2011	109	9,113.37	
2	Adjustments to Unpaid Taxes	109		
3	Current Year Taxes	109	689,184.28	235,941.95
4	Additional Levies	109		
5	<b>Total Taxes Receivable</b>	109	698,297.65	235,941.95
6	Add: Interest and Fees Collected on Taxes	302	3,298.14	0.10
7	Computer Differences + or (-)		(0.21)	
8	Deduct: Taxes Exonerated without refund		(2,880.08)	
9	Discounts		(14,689.60)	(5,898.39)
10	Land Sales Deductions			
11	Ending Taxes Receivables 6/30/2012	109	(3,578.45)	
12	<b>Net Taxes Collections</b>		680,447.45	230,043.66
13	Deduct: Exoneration with refund		(2,751.30)	
14	Sheriff's Commission			
15	Assessor's Valuations			
16	Add: Manual Distributions & Public Utilities			
17	<b>Total Taxes Collected</b>	301-302	677,696.15	230,043.66
18	Other Taxes	303-316		
19	Licenses and Permits	317-321		
20	Intergovernmental: Federal	322, 325		
21	State	323		
22	Local	324		
23	Charges for Services: Sheriff	329-335		
24	County Clerk	331		
25	Circuit Clerk	332,333		
26	Magistrate	328		
27	Assessor	336		
28	Other	337-360		
29	Fines and Forfeits	361-364		
30	Interest on investments	365	490.56	175.77
31	Miscellaneous	366-387		
32	<b>Total Revenues &amp; Receipts</b>		678,186.71	230,219.43
33	Disbursements: Orders Issued		678,186.71	230,219.43
34	AVF Share of Taxes			
35	Sheriff's Commission			
36	<b>Total Disbursements</b>		678,186.71	230,219.43
37	Excess of Revenues over Expenditures			
38	Transfers	388-399		
39	Beginning Balances			
40	Audit Adjustments			
41	<b>Ending Balances 6/30/2012</b>			



HARRISON COUNTY COURT HOUSE

COUNTY OF HARRISON  
OFFICE OF THE ASSESSOR  
301 WEST MAIN STREET  
CLARKSBURG, WEST VIRGINIA 26301  
PERSONAL PROPERTY (304) 624-8510  
BUSINESS DIVISION (304) 624-8659  
REAL ESTATE DIVISION (304) 624-8521  
FAX: (304) 626-1066



*Cheryl L. Romano*  
ASSESSOR

October 5, 2012

Robert J. Andre  
Steptoe & Johnson  
400 White Oaks Blvd.  
Bridgeport, WV 26330

Dear Mr. Andre:

Following is the information you requested regarding the values for the yearly TIF report as it relates to the described redevelopment project areas or districts:

- 1. The **base-assessed value** of the development or redevelopment project, or the development or redevelopment project area or district, as appropriate for:
  - a. Harrison County Development District No. 2 "Charles Pointe Project No. 1" Base-Assessed Value (Base Year 2005)

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	310,980
Class III	129,715	0
Class IV	0	3,741,780
<b>TOTAL</b>	<u>129,715</u>	<u>4,052,760</u>

- b. Harrison County Development District No. 3 "White Oaks Project No. 1" Base-Assessed Value (Base Year 2007)

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	17,480
Class III	0	
Class IV	0	169,820
<b>TOTAL</b>	<u>0</u>	<u>187,300</u>

2. ✓ The **assessed value for the current tax year (2012)** of the development or redevelopment project property, or of the taxable property having a tax situs in the development or redevelopment project area or district:

- ✓ a. Harrison County Development District No. 2 "Charles Pointe Project No. 1"  
Assessed Value for Current Tax Year 2012.

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	14,279,160
Class III	0	0
Class IV	6,153,938	35,236,740
TOTAL	<u>6,153,938</u>	<u>49,515,900</u>

- ✓ b. Harrison County Development District No. 3 "White Oaks Project No. 1"  
Assessed Value for Current Tax Year 2011.

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	22,580
Class III	0	0
Class IV	4,141,111	20,180,700
TOTAL	<u>4,141,111</u>	<u>20,203,280</u>

3. ✓ The **assessed value added to base-assessed value** of the development or redevelopment project, or the taxable property having a tax situs in the development or redevelopment area or district:

- ✓ a. Harrison County Development District No. 2 "Charles Pointe Project No. 1"  
Assessed Value Added to Base-Assessed Value

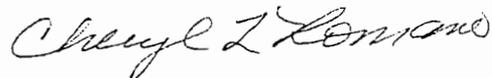
	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	14,590,140
Class III	129,715	0
Class IV	6,153,938	38,978,520
TOTAL	<u>6,283,653</u>	<u>53,568,660</u>

- ✓b. Harrison County Development District No. 3 "White Oaks Project No. 1"  
Assessed Value Added to Base-Assessed Value

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	40,060
Class III	0	20,060
Class IV	4,141,111	20,350,520
TOTAL	<u>4,141,111</u>	<u>20,410,640</u>

Please do not hesitate to call if you need additional information.

Sincerely,



Cheryl L. Romano  
Assessor of Harrison County  
West Virginia

cc: Harrison County Commission

dw

October 5, 2012

OCT 05 2012  
HARRISON COUNTY  
COMMISSION

Robert J. Andre  
Steptoe & Johnson  
400 White Oaks Blvd.  
Bridgeport, WV 26330

Dear Mr. Andre:

Following is the information you requested regarding the values for the yearly TIF report as it relates to the described redevelopment project areas or districts:

1. The **base-assessed value** of the development or redevelopment project, or the development or redevelopment project area or district, as appropriate for:
  - a. Harrison County Development District No. 2 "Charles Pointe Project No. 1" Base-Assessed Value (Base Year 2005)

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	310,980
Class III	129,715	0
Class IV	0	3,741,780
<b>TOTAL</b>	<u>129,715</u>	<u>4,052,760</u>

- b. Harrison County Development District No. 3 "White Oaks Project No. 1" Base-Assessed Value (Base Year 2007)

	<u>Personal Property</u>	<u>Real Property</u>
Class I	0	0
Class II	0	17,480
Class III	0	
Class IV	0	169,820
<b>TOTAL</b>	<u>0</u>	<u>187,300</u>

	<u>Real Property</u>
	0
	14,279,160
	0
	35,236,740
	<u>49,515,900</u>

ent District No. 3 "White Oaks Pro  
[ax Year 2011.

	<u>Real Property</u>
	0
	22,580
	0
	20,180,700
	<u>20,203,280</u>

base-assessed value of the dev  
taxable property having a tax s  
area or district:

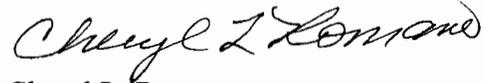
ent District No. 2 "Charles Pointe Proj  
se-Assessed Value

	<u>Real Property</u>
	0
	14,590,140
	0
	38,978,520
	<u>53,568,660</u>

Class III	0	20,060
Class IV	4,141,111	20,350,520
TOTAL	<u>4,141,111</u>	<u>20,410,640</u>

Please do not hesitate to call if you need additional information.

Sincerely,



Cheryl L. Romano  
Assessor of Harrison County  
West Virginia

✓ cc: Harrison County Commission

dw

September 4, 2012

The County Commission of Harrison County  
Attn: Regina Seamon  
Harrison County Courthouse  
301 W. Main Street  
Clarksburg, WV 26301



Re: Representation by Steptoe & Johnson PLLC

Dear Ms. Seamon:

Thank you for selecting Steptoe & Johnson PLLC to represent you in connection with **the 2011 TIF Report**. The Rules of Professional Conduct governing attorneys recommend that attorneys have written fee agreements with their clients. This letter ("Engagement Letter"), when returned to our office, will constitute, along with the Standard Terms of Engagement for Legal Services ("Standard Terms") and the Cost Information Sheet each enclosed herewith, your written fee agreement ("Agreement") with our firm for the matter addressed.

The Standard Terms address in general how our fees and charges are set; the handling of client deposits if required; billing and payment terms; the scope of the attorney-client privilege; the client's responsibilities; the termination of our firm's representation and the disposition of documents; and dispute resolution procedures. To the extent that an inconsistency may arise between the terms of this Engagement Letter and the Standard Terms, the Engagement Letter shall control.

### 1. IDENTITY OF CLIENT

For the purpose of this representation, we understand that our client is The Harrison County Commission. We are not representing any other entities or individuals whose interest may be affected by this matter and such individual persons or other entities are expressly excluded from the scope of our representation. References in this Agreement to "you" or "your" will mean the client(s) identified in this paragraph.

### 2. SCOPE OF WORK

You are hiring us as your attorneys to represent you in the following matter:

### **Draft yearly TIF Report**

We will provide those legal services necessary to represent you in the above matter(s) and we will take reasonable steps to keep you informed of progress and to respond to our inquiries. Our representation will conclude when this matter is completed. If Steptoe & Johnson PLLC is asked to perform additional work for you in the future, the terms of this letter will apply unless a different arrangement is agreed upon.

### **3. MINIMUM FEE/DEPOSIT**

At this time, we are not requesting either a minimum fee or an initial deposit against fees. We may request, however, an advance against costs from time to time, or request a fee advance or a retainer if circumstances dictate such arrangements.

### **4. STAFFING, LEGAL FEES, BILLING PRACTICES**

Robert Andre, III, I will be the attorney primarily responsible for the work we will perform for you. We may utilize the services of other attorneys, law clerks and legal assistants to assist as necessary to efficiently handle your work and to meet time deadlines.

You agree to pay by the hour at our prevailing rates for time spent on your matter by our legal personnel. Our billing rates vary with the experience and skill of the attorney or legal personnel rendering the service. The current rate for Robert Andre, III, who is the attorney most likely to be doing the majority of work on your case, is \$ 250 per hour.

We charge for our time in minimum units of 1/4 hours, unless otherwise agreed. We will charge you for the time we spend on telephone calls relating to your matter, including calls with you, opposing counsel or court personnel. The legal personnel assigned to your matter may confer among themselves on the matter, as required. When they do confer, each person will charge for the time expended. We will charge for waiting time, in court and elsewhere, and for travel time, both local and out of town.

We normally adjust our billing rates annually on or about January 1, and we reserve the right to annually adjust our billing rates if this matter continues into another calendar year. Any adjustment is subject to approval by you with the January invoice.

### **5. BILLING STATEMENTS**

Unless otherwise agreed to in writing, we will send you monthly statements for fees and costs incurred. Each statement will be due within thirty days of its receipt. If fees are collected at a settlement or the closing of a transaction, any additional time for post-closing matters will be either billed on a subsequent statement or estimated and collected at the settlement or closing.

## 6. DISCLAIMER OF GUARANTEE

Nothing in this Agreement and nothing in our reports or statements to you should be construed as a promise or guarantee about the outcome of your matter. We make no such promises or guarantees. Our comments about the expected outcome of your matter are expressions of our opinion only based on the presently known facts and circumstances.

## 7. DISCLOSURE OF REPRESENTATION

From time to time, it is useful for us to advise prospective clients of the identity of other clients for whom we have been asked to perform legal services. In addition to helping potential clients to evaluate the potential for our firm to serve their needs, such disclosures also help us make early determinations of potential conflicts. Unless you object, we reserve the right to include the fact of our representation of you in such disclosures. In no case do we disclose any details of any work that we perform for any client in our disclosures, and if you prefer that we not disclose our representation of you, please advise us and we will not do so.

## 8. EFFECTIVE DATE

The effective date of this Agreement will be retroactive to the date we first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, you will be obligated to pay us the reasonable value of any services we may have performed for you and any reasonable costs incurred.

We look forward to working with you. If these terms are acceptable to you, please sign the enclosed duplicate original of this letter and return it to me. If you have any questions about this letter or our representation, please call or write me.

Very truly yours,

STEPTOE & JOHNSON PLLC



By: Robert Andre, III  
Member

Agreed to this 13th day of September, 2012.

THE COUNTY COMMISSION OF  
HARRISON COUNTY

By: 

Its: President

Enclosure

## **COST INFORMATION SHEET**

**In-House Photocopying** - \$ .25 per page

**Color Copies** - \$ .65 per page

**In-House Scanning** - \$ .10 per page

**Telephone calls will be charged at the AT&T direct dial tariff rates**

**Telecopier and facsimile:**

1. page sent - \$.50 per page plus telephone call;
2. page received - \$.50 per page

**In-House Couriers** - Based on time, plus mileage

**Computer legal research (if required) averages \$20 to \$100 per inquiry depending on the complexity of the search and the databases accessed.**

**Automobile travel - \$.555 per mile**



APPROVED to CONTACT  
Andre

1900



OFFICE

304-311

WV.gov

August 8, 2012

The Honorable Bernie Fazzini  
President  
Harrison County Commission  
301 West Main Street  
Clarksburg, West Virginia 26301

Bob returned call  
08-17-12  
Will send agreement

Dear Commissioner Fazzini:

Please let this correspondence serve as a reminder that the TIF District #2, Charles Point and District #3, White Oaks Development, District # 4, White Oaks Industrial Park projects, annual report for the period ending June 30<sup>th</sup> will be due in this office no later than October 31, 2012.

As a part of the reporting requirements of the Tax Increment Financing (TIF) program, all county commissions and municipalities with approved TIF Districts and Projects shall publish an annual statement that complies with the provisions of the West Virginia State Code Chapter 7-11B-15 (c). This statement should be in a newspaper of general circulation and contain the following items:

1. A summary of receipts and disbursements, by major category, of moneys in the tax increment financing fund during that fiscal year.
2. A summary of the status of the development or redevelopment plan and each project therein.
3. The amount of tax increment financing principal outstanding as of the close of the fiscal year.
4. Any additional information the county commission or municipality deems necessary or appropriate to publish.

This statement should be printed after the close of each fiscal year, but before October 1 each year.

Additionally, TIF Districts and Projects that are 5 years old or older must conduct a public hearing regarding the approved District and Project in compliance with West Virginia State Code Chapter 7-11-B-15 (d).

Thank you for your attention to this matter. If you have any questions, please contact me at (304) 558-2234, or via e-mail at [Todd.E.Hooker@wv.gov](mailto:Todd.E.Hooker@wv.gov).

Sincerely,

Todd E. Hooker  
Sr. Manager, Financial Programs  
& National Accounts



WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311  
(304) 558-2234 • (800) 982-3386 • WVDO.org

November 5, 2012

NOV 07 2012

The Honorable Bernie Fazzini  
President  
Harrison County Commission  
301 West Main Street  
Clarksburg, West Virginia 26301

Dear Commissioner Fazzini:

West Virginia Development Office acknowledges receipt of Harrison County, District No. 2 "Charles Pointe Project No. 1" and District No. 3 "White Oaks Project No. 1" annual report. Our records reflect that we received the document on November 2, 2012.

Thank you for your cooperation regarding this process. If you have any questions, please do not hesitate to contact me at 304-558-2234.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd E. Hooker".

Todd E. Hooker, Sr. Manager  
Financial Programs and National Accounts