

NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, November 22, 2022, at 2:00 p.m. prevailing time, a public hearing will be held in Conference Room Number 201 in the Berkeley County Council offices, Berkeley County Administration Building, 400 West Stephen Street, Martinsburg, West Virginia, at which time and place all interested parties may appear before the Berkeley County Building Commission (the “Building Commission”) and may be heard as to whether the following described Ordinance shall be put into effect.

Notice is further hereby given that on November 9, 2022, the Building Commission enacted an Ordinance authorizing and directing the issuance of not more than \$10,000,000 in aggregate principal amount of Berkeley County Building Commission Lease Revenue Bonds (Berkeley County Day Report Center and Public Safety Building Projects), Series 2022 (the “Bonds”) to permanently finance costs of the design, construction, renovation, expansion, improvement, furnishing and equipping of the land, together with the improvements thereon known as the Berkeley County Day Report Center located at 520 South Raleigh Street, Martinsburg, West Virginia (the “Day Report Center Project”) including without limitation the addition of a three-story annex to the Day Report Center and, to the extent proceeds of the Bonds are available therefor after providing for the payment of the costs of the Day Report Center Project and the costs of issuing the Bonds, costs of equipping the Berkeley County Public Safety Building located at 510 South Raleigh Street, Martinsburg, West Virginia with LED lighting (the “Public Safety Building Project”), which Day Report Center and Public Safety Building are located on a tract or parcel of land containing approximately 5.5051 acres situate at the intersection on the east side of South Raleigh Street and the south side of South Street, Martinsburg, West Virginia (the “Property”). The Ordinance further provides for the continued leasing of the Property to The County Council of Berkeley County, West Virginia (the “Lease”).

The Bonds will be special obligations of the Building Commission payable solely from the revenues, rentals, and other monies received by the Building Commission pursuant to the Lease and any other permitted lease of the Property and other security held pursuant to the Bond Indenture and Security Agreement described below and will not constitute a debt or liability of The County Council of Berkeley County, West Virginia (except as provided in the Lease) or the State of West Virginia.

The Bonds will be issued on parity with the Building Commission’s Lease Revenue Improvement and Refunding Bonds (Berkeley County Day Report Center and Public Safety Building Projects), Series 2020 A issued on August 26, 2020, in the original aggregate principal amount of \$8,140,000 (the Prior Bonds”), which Prior Bonds were issued to finance and refinance a portion of the costs of the acquisition, construction, renovation, improvement and equipping of the Property.

The Ordinance further provides for a first supplement to the Bond Indenture and Security Agreement between the Building Commission and WesBanco Bank, Inc., as Trustee, executed in connection with the Prior Bonds by which the Building Commission has assigned to the Trustee the right to receive rental and other payments under the Lease or other leases permitted by the Bond Indenture and Security Agreement, as supplemented and amended in connection with the issuance of the Bonds, or the deed of trust that encumbers the Property, to further secure the

owner or owners of the Prior Bonds and the Bonds. The Building Commission will deliver the Bonds in return for the purchase price thereof to be used to pay costs of the design, construction, renovation, expansion, improvement, furnishing and equipping of the Day Report Center Project and the Public Safety Building Project as described above. The Property will initially continue to be leased by the Building Commission to The County Council of Berkeley County, West Virginia pursuant to the Lease.

A certified copy of the Ordinance is on file for review by interested persons during regular office hours in the office of the Clerk of the County Council of Berkeley County, West Virginia, Berkeley County Courthouse, 100 West King Street, Martinsburg, West Virginia.

Published at the direction of the Berkeley County Building Commission, this 10th day of November 2022.

Secretary, Berkeley County Building Commission