

ORDERS—Mason County Commission, W. Va.

TERMS

JUN 25 2026

CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 7393D-99

THE COUNTY COMMISSION OF MASON COUNTY met in the Courthouse thereof in special session on Thursday, June 25, 2026 at 9:30 a.m. to consider or approve Maintenance / EMS hires and to discuss and/or consider Mason County Development Authority property Resolutions. Present were Rick Handley, President (via telephone); Sam Nibert, Commissioner; Chris Johnson, Commissioner; Diana Cromley, County Clerk (via telephone); and Heidi Wood, Administrator.

Sam Nibert called the meeting to order.

Upon motion by Johnson and unanimous agreement, the Commission approved the hire of the Maintenance position to the next qualified candidate.

Upon motion by Johnson and unanimous agreement, the Commission approved the hire of Brianna Miller to a part-time work base position with the EMS based on a Memorandum of Understanding with Mount West Community and Technical College for matching funding.

Upon motion by Johnson, seconded by Nibert and unanimous agreement, the Commission approved the transfer of the Airport property from the Mason County Commission to the Mason County Development Authority. A copy of the Resolution is attached.

Upon motion by Johnson, seconded by Nibert and unanimous agreement, the Commission approved the transfer of the excess wooded area near the Airport property from the Mason County Commission to the Mason County Development Authority. A copy of the Resolution is attached.

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CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 7393D-99

RESOLUTION OF THE COUNTY COMMISSION OF MASON COUNTY, WEST VIRGINIA, APPROVING THE SALE AND TRANSFER OF THE MASON COUNTY AIRPORT PROPERTY TO THE MASON COUNTY DEVELOPMENT AUTHORITY

WHEREAS, the County Commission of Mason County, West Virginia (hereinafter, the "Commission"), is a corporation established under the authority of W. Va. Const. art. IX, § 9 and W. Va. Code § 7-1-1, *et seq.*, and the central governing body of Mason County, West Virginia (the "County");

WHEREAS, the County owns certain parcels of real estate in Point Pleasant, West Virginia, known as the "Mason County Airport Property" (the "Property"), and which are more specifically described in Attachment 1 to this Resolution;

WHEREAS, the timeworn and deteriorating Mason County Airport is located on the Property and has negligible aeronautical operations and aircraft;

WHEREAS, the Commission has determined that the County does not have a need for the Mason County Airport or the Property, and the Commission does not wish to maintain the Mason County Airport or the Property;

WHEREAS, the Commission has submitted a request to the United States Department of Transportation, Federal Aviation Administration (the "FAA"), seeking the FAA's approval for the permanent closure of the Mason County Airport, including the FAA's release of the airport from all federal obligations, to allow for the Commission to dispose of the Property;

WHEREAS, the FAA issued on May 13, 2025, a Conditional Release of All Federal Obligations (the "Conditional Release"), conditionally releasing the County from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the airport facilities on the Property;

WHEREAS, the Conditional Release requires, among other things, the Commission to take specific actions to permanently close the Mason County Airport, such as ensuring the removal of aircraft, providing certain notices to airmen, and completing the physical closure of the airport, which actions the Commission has satisfied;

WHEREAS, the Commission is further required by the Conditional Release to sell the Property at its fair market value and transmit certain funds from the sale (representing certain federal grants and assistance that the County and the Mason County Airport received and that the Commission may not retain) to an account at the nearby Jackson County Airport, at which time the FAA will provide the County with a formal release and closure letter;

WHEREAS, the owner of the Jackson County Airport has agreed to use the proceeds of the sale in a manner approved by the FAA with the goal of accommodating the former users of Mason County Airport, who will be able to take advantage of Jackson County Airport's superior facilities and aeronautical services, including its full-length parallel taxiway, fuel services, flight instruction, and newly built terminal;

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WHEREAS, the Commission desires to sell the Property to the Mason County Development Authority (the "MCDA") at or above its fair market value and convey the Property to the MCDA for use in industrial and economic development, pursuant to W. Va. Code § 7-12-11;

WHEREAS, the MCDA is a public agency and 501(c)(3) nonprofit organization established under the authority of W. Va. Code § 7-12-1, *et seq.*, to, among other things, promote, develop and advance the business prosperity and economic welfare of Mason County, its citizens, and its industrial complex; assist in locating new business and industry to Mason County; stimulate and promote the expansion of business and industrial development in Mason County; and furnish land, aid and technical assistance to applicants to promote and develop business and industrial activity in Mason County;

WHEREAS, the MCDA has advised the Commission that it has a need for the Property in connection with its efforts to promote and support the development of the Monarch Compute Campus, which developers Nscale Global Holdings, Ltd. and its subsidiaries (collectively, "Nscale") envision to be a collection of advanced computing data centers with on-site power generation in Point Pleasant that will assist in servicing the United States's data processing and storage needs (the "Project");

WHEREAS, the Property is located within the Project's footprint and is suitable for development by the MCDA, Nscale, and its subsidiaries in connection with the Project;

WHEREAS, the initial phase of the Project includes the development of a pipeline that will deliver natural gas to the County and will fuel the Project, provide service to new commercial and industrial entrants in the region, and lower energy costs for local consumers and businesses;

WHEREAS, the initial phase of the Project also includes the development and construction of power plant facilities and co-locating data centers;

WHEREAS, the initial phase of the Project is estimated to create more than 500 direct permanent jobs and provide employment opportunities to more than 2,000 construction workers onsite as the Project accelerates;

WHEREAS, more than \$116 million has been invested into the Project to date, and its initial phase ultimately has the potential for more than \$20 billion of capital investment in and around the County;

WHEREAS, the initial phase of the Project is anticipated to generate new annual revenue to the State totaling more than \$150 million as a result of, among other things, income tax, property tax, and severance tax income;

WHEREAS, the Project also is expected to accelerate indirect employment in the County and in the surrounding region;

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WHEREAS, the West Virginia Legislature has recognized in W. Va. Code § 5B-2-21a that high-impact data centers represent a significant and growing sector of the economy, generate substantial economic activity, including jobs, infrastructure investment, and technological innovation, constitute critical infrastructure, and serve national security interests, and the Commission finds that the Project is consistent with those legislative findings and the public purposes reflected therein;

WHEREAS, W. Va. Code § 7-3-3 authorizes a county commission to sell or dispose of real and personal property and provides that the public auction requirements otherwise applicable to certain sales of county property do not apply where a county commission sells or disposes of property for a public use to any authority, commission, instrumentality, or agency established by act of the State of West Virginia or any of its political subdivisions;

WHEREAS, the MCDA is a “public agency” and “public corporation” that was established by the Commission, per authorization of the West Virginia Legislature in W. Va. Code § 7-12-1;

WHEREAS, the Commission has determined that the sale and conveyance of the Property to the MCDA for use in connection with industrial and economic development, including the development of the Project, serves a public use and public purpose by promoting, developing, and advancing the business prosperity and economic welfare of Mason County and its citizens, encouraging and assisting the location of new business and industry within Mason County, stimulating commercial and industrial activity, creating employment opportunities, increasing the tax base, enhancing national security, and supporting data center development and related infrastructure;

WHEREAS, W. Va. Code § 7-12-11 authorizes and empowers the Commission to transfer and convey the Property to the MCDA for use in industrial, economic, and recreational development, for such price and upon such terms and conditions as the Commission deems proper;

WHEREAS, the Commission desires to sell the Property at or above fair market value and convey the Property to the MCDA, and the MCDA desires to purchase the Property at or above fair market value and accept the conveyance of the Property from the Commission, for use in industrial and economic development in connection with the Project;

WHEREAS, the purchase agreement between the Commission and the MCDA will contain a provision vesting the Commission with a right of first refusal to re-purchase the Property in the event the MCDA does not utilize it (through sale, lease, exchange, or otherwise) in developing the Project; and

WHEREAS, the Commission wishes to disclaim and will disclaim in writing in the deed of conveyance to the MCDA the Commission’s reversionary right to the Property established in W. Va. Code § 7-3-3(c).

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CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 73930-99

NOW, THEREFORE, BE IT RESOLVED, that the County Commission of Mason County, West Virginia, hereby approves the sale and transfer of the Mason County Airport Property to the Mason County Development Authority based on the aforementioned needs and considerations, and explicitly disclaims its reversionary right to the Property.

The adoption of the foregoing Resolution having been moved by:

Chris Johnson, Commissioner, and duly seconded by:

Sam Nibert, Commissioner, the vote thereon was as follows:

Rick Handley,	President
Chris Johnson,	Commissioner
Sam Nibert,	Commissioner

Rick Handley - NW Yes
Chris Johnson Yes
Sam Nibert Yes

WHEREUPON, Rick Handley, President, declared said Resolution duly adopted and it is, therefore, ADJUDGED and ORDERED that said Resolution be and the same is hereby adopted.

Rick Handley - NW Yes
 Rick Handley, President

Chris Johnson Yes
 Chris Johnson, Commissioner

Sam Nibert Yes
 Sam Nibert, Commissioner

Dated:

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CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 7393D-99

RESOLUTION OF THE COUNTY COMMISSION OF MASON COUNTY, WEST VIRGINIA, APPROVING THE SALE AND TRANSFER OF THE EXCESS WOODED FAIRGROUNDS PROPERTY TO THE MASON COUNTY DEVELOPMENT AUTHORITY

WHEREAS, the County Commission of Mason County, West Virginia (hereinafter, the "Commission"), is a corporation established under the authority of W. Va. Const. art. IX, § 9 and W. Va. Code § 7-1-1, *et seq.*, and the central governing body of Mason County, West Virginia (the "County");

WHEREAS, the County owns a parcel of real estate in Point Pleasant, West Virginia, near Fairground Road (CR 12), containing 16.198 acres more or less, known as the "Excess Wooded Fairgrounds Property" (the "Property"), and which is more specifically described in Attachment 1 to this Resolution;

WHEREAS, the County does not have a need for the Property, does not wish to maintain the Property, and has deemed the Property to be surplus;

WHEREAS, the Commission desires to sell the Property to the Mason County Development Authority (the "MCDA") and convey the Property to the MCDA for use in industrial and economic development, pursuant to W. Va. Code § 7-12-11;

WHEREAS, the MCDA is a public agency and 501(c)(3) nonprofit organization established under the authority of W. Va. Code § 7-12-1, *et seq.*, to, among other things, promote, develop and advance the business prosperity and economic welfare of Mason County, its citizens, and its industrial complex; assist in locating new business and industry to Mason County; stimulate and promote the expansion of business and industrial development in Mason County; and furnish land, aid and technical assistance to applicants to promote and develop business and industrial activity in Mason County;

WHEREAS, the MCDA has advised the Commission that it has a need for the Property in connection with its efforts to promote and support the development of the Monarch Compute Campus, which developers Nscale Global Holdings, Ltd. and its subsidiaries (collectively, "Nscale") envision to be a collection of advanced computing data centers with on-site power generation in Point Pleasant that will assist in servicing the United States's data processing and storage needs (the "Project");

WHEREAS, the Property is located within the Project's footprint and is suitable for development by the MCDA, Nscale, and its subsidiaries in connection with the Project;

WHEREAS, the initial phase of the Project includes the development of a pipeline that will deliver natural gas to the County and will fuel the Project, provide service to new commercial and industrial entrants in the region, and lower energy costs for local consumers and businesses;

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WHEREAS, the initial phase of the Project also includes the development and construction of power plant facilities and co-locating data centers;

WHEREAS, the initial phase of the Project is estimated to create more than 500 direct permanent jobs and provide employment opportunities to more than 2,000 construction workers onsite as the Project accelerates;

WHEREAS, more than \$116 million has been invested into the Project to date, and its initial phase ultimately has the potential for more than \$20 billion of capital investment in and around the County;

WHEREAS, the initial phase of the Project is anticipated to generate new annual revenue to the State totaling more than \$150 million as a result of, among other things, income tax, property tax, and severance tax income;

WHEREAS, the Project also is expected to accelerate indirect employment in the County and in the surrounding region;

WHEREAS, the West Virginia Legislature has recognized in W. Va. Code § 5B-2-21a that high-impact data centers represent a significant and growing sector of the economy, generate substantial economic activity, including jobs, infrastructure investment, and technological innovation, constitute critical infrastructure, and serve national security interests, and the Commission finds that the Project is consistent with those legislative findings and the public purposes reflected therein;

WHEREAS, W. Va. Code § 7-3-3 authorizes a county commission to sell or dispose of real and personal property and provides that the public auction requirements otherwise applicable to certain sales of county property do not apply where a county commission sells or disposes of property for a public use to any authority, commission, instrumentality, or agency established by act of the State of West Virginia or any of its political subdivisions;

WHEREAS, the MCDA is a "public agency" and "public corporation" that was established by the Commission, per authorization of the West Virginia Legislature in W. Va. Code § 7-12-1;

WHEREAS, the Commission has determined that the sale and conveyance of the Property to the MCDA for use in connection with industrial and economic development, including the development of the Project, serves public uses and purposes by, among other things, promoting, developing, and advancing the business prosperity and economic welfare of Mason County and its citizens, encouraging and assisting the location of new business and industry within Mason County, stimulating commercial and industrial activity, creating employment opportunities, increasing the tax base, enhancing national security, and supporting data center development and related infrastructure;

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WHEREAS, W. Va. Code § 7-12-11 authorizes and empowers the Commission to transfer and convey the Property to the MCDA for use in industrial, economic, and recreational development, for such price and upon such terms and conditions as the Commission deems proper;

WHEREAS, the Commission desires to sell the Property at or above fair market value and convey the Property to the MCDA, and the MCDA desires to purchase the Property at or above fair market value and accept the conveyance of the Property from the Commission, for use in industrial and economic development in connection with the Project;

WHEREAS, the purchase agreement between the Commission and the MCDA will contain a provision vesting the Commission with a right of first refusal to re-purchase the Property in the event the MCDA does not utilize it (through sale, lease, exchange, or otherwise) in developing the Project; and

WHEREAS, the Commission wishes to disclaim and will disclaim in writing in the deed of conveyance to the MCDA the Commission's reversionary right to the Property established in W. Va. Code § 7-3-3(c).

NOW, THEREFORE, BE IT RESOLVED, that the County Commission of Mason County, West Virginia, hereby approves the sale and transfer of the Excess Wooded Fairgrounds Property to the Mason County Development Authority based on the aforementioned needs and considerations, and explicitly disclaims its reversionary right to the Property.

The adoption of the foregoing Resolution having been moved by:

Sam Nibert, Commissioner, and duly seconded by:

Chris Johnson, Commissioner, the vote thereon was as follows:

Rick Handley,	President
Chris Johnson,	Commissioner
Sam Nibert,	Commissioner

Rick Handley-NW Yes
Chris Johnson Yes
Sam Nibert Yes

WHEREUPON, Rick Handley, President, declared said Resolution duly adopted and it is, therefore, ADJUDGED and ORDERED that said Resolution be and the same is hereby adopted.

Rick Handley-NW
 Rick Handley, President

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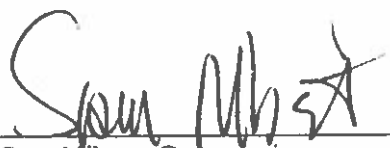
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Chris Johnson, Commissioner



Sam Nibert, Commissioner

Dated:

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President Handley declared the special session adjourned.



RICK HANDLEY, PRESIDENT



SAM NIBERT, COMMISSIONER



CHRIS JOHNSON, COMMISSIONER



DIANA N. CROMLEY, CLERK