

**MIDDLESEX COUNTY BOARD OF SUPERVISORS
ORDINANCE
ESTABLISHMENT OF THE MIDDLESEX WATER AUTHORITY**

RECITATIONS:

- a. Pursuant to the proper advertisement thereof, a Public Hearing was held by the Middlesex County Board of Supervisors on Tuesday, June 10, 2014, on the question of the adoption of this Ordinance.
- b. Upon conclusion of said Public Hearing, upon consideration of matters pertinent to the formation of an Authority, and with a finding of no substantial opposition and no need for a referendum, the Board has concluded that Middlesex County should create a public water authority.

IT IS, THEREFORE, HEREBY ORDAINED:

The Articles of Incorporation for the Middlesex Water Authority shall read as follows:

1. The name of the Authority shall be the Middlesex Water Authority.
2. The address of the Authority's principal office shall be 44 Oakes Landing Rd, Saluda Va. 23149, and the mailing address of the Authority's principal office shall be Post Office Box 428, Saluda, Virginia 23149.
3. The registered office of the Authority shall be the same as the principal office of the Authority. The registered agent of the Authority shall be Michael T. Soberick Sr., who is a resident of the Commonwealth of Virginia, whose business office is identical with such registered office and who is a member of the Virginia State Bar (VSB# 18867). The mailing address of the registered agent shall be the same as the mailing address of the Authority's principal office.
4. The sole participating locality in the authority is the County of Middlesex, Virginia.
5. The powers of the Authority shall be exercised by five (5) Authority Board members who shall be appointed by the Middlesex County Board of Supervisors for four (4) year terms. One (1) Authority Board member shall be appointed from the Middlesex County Board of Supervisors, and four (4) At-Large Authority Board members from the general citizenry of Middlesex County, two of which will have a staggered term.

The names, addresses and initial terms of office of the Middlesex County members of the Authority Board are as follows:

<u>Members</u>	<u>Address</u>	<u>Terms of Office</u>
Board of Supervisors Member Appointee:		
(i) Elizabeth B. Hurd	17037 Gen. Puller Hwy, Deltaville, VA 23043	7/1/14 - 6/30/18
At-Large Appointees:		
(ii) Greg Chambers	115 Cedar Point Dr., Urbanna, VA 23175	7/1/14 - 6/30/16
(iii) James Michael Reed	459 Old Virginia Street, Urbanna, VA 23175	7/1/14 - 6/30/16
(iv) Carlton S. Revere	95 Barn Elms Court, Hartfield, VA 23071	7/1/14 - 6/30/18
(v) Janet V. Riggs	887 Mariners Woods Drive, Hartfield VA 23071	7/1/14 - 6/30/18

Except for the initial terms of offices aforesaid, all appointments of Board members shall be for a term of four (4) years. Each duly appointed Authority member shall hold office until his/her successor has been appointed, and each Authority member shall be entitled to succeed himself/herself. In the event that a vacancy is created by the death, resignation or removal of any Authority member, the appointment to fill such vacancy shall be for the unexpired portion of the remaining term.

6. The purposes for which the Authority is being created are to determine whether there is a need for the Authority to construct and operate a water system within the established service areas of Middlesex County. If a need for such a system is determined, the feasibility thereof shall also be studied and reported, which feasibility study may include estimates of the cost of any proposed system, the proposed source of funding for such system, and preliminary estimates of initial rates for services of such systems as certified by responsible engineers. Upon conclusion of such studies, the Authority shall construct, operate or contract for such water system as is deemed necessary, however the Authority shall not require mandatory connections to the water system and shall instead employ incentive based connection programs that encourage but do not require connection.
7. It is hereby declared to be impracticable to determine preliminary capital costs, specific projects to be undertaken by the Authority, and preliminary estimates of initial rates for services of such projects, certified by responsible engineers.

FURTHER ORDAINED:

The Authority's attorney is hereby authorized and directed to file with the State Corporation Commission the Authority's Articles of Incorporation, and to take any other action necessary to effect creation of the Authority.

Adopted by unanimous vote of the Middlesex County Board of Supervisors on June 10, 2014.

By: _____
County Administrator/Clerk