

# Middlesex County Board of Supervisors



## ORDINANCE

### ESTABLISHMENT OF THE MIDDLESEX BROADBAND AUTHORITY

#### RECITATIONS:

a. Pursuant to the proper advertisement thereof, a Public Hearing was held by the Middlesex County Board of Supervisors on Tuesday, June 7, 2016, on the question of the adoption of this Ordinance.

b. Upon conclusion of said Public Hearing, and upon consideration of matters pertinent to the formation of an Authority, the Board has concluded that Middlesex County should create a broadband authority.

#### IT IS, THEREFORE, HEREBY ORDAINED:

**ARTICLES OF INCORPORATION OF THE MIDDLESEX BROADBAND AUTHORITY**  
The County of Middlesex, Virginia, Board of Supervisors adopted an Ordinance Creating the Middlesex Broadband Authority and setting forth the initial Articles of Incorporation after a public hearing on June 7, 2016, such hearing being properly advertised and conducted in conformity with the Virginia Wireless Service Authorities Act, Chapter 54.1 of Title 15.2 of the Code of Virginia (§15.2-5431.1 et seq.).

#### I. Name

The name of the authority is "Middlesex Broadband Authority" (the "Authority").

#### II. Parties to the Authority

The sole initial member of the Authority is the County of Middlesex, Virginia, a political subdivision of the Commonwealth of Virginia.

#### III. Address and physical location

The address of the Authority's principal office is: 877 General Puller Hwy., P. O. Box 428, Saluda, Virginia 23149. The Authority physically will be located at the Office of the County Administrator for Middlesex County in Saluda, Virginia.

#### IV. Board of the Authority

The Authority Board will consist of five (5) members, which is equal to the number of members of the Middlesex County Board of Supervisors, as permitted under the Act. Each member of the Board of Supervisors of Middlesex County is an ex-officio member, with full voting rights, of the Authority Board and his term as a member of the Authority Board will

begin and end with his service as a member of the Board of Supervisors of Middlesex County. Each member of the Board before entering upon the discharge of the duties of the office shall take and subscribe to the oath prescribed in § 49-1 of the Code of Virginia. The name and addresses of the initial members of the Authority Board are as follows:

<u>Name of Member</u>	<u>Address</u>
1) John D. Miller, Jr.	P. O. Box 40, Locust Hill, VA 23091
2) Wayne H. Jessie, Sr.	8664 Tidewater Trail, Warner, VA 23175
3) Peter W. Mansfield	P. O. Box 338, Urbanna, VA 23175
4) Robert L. LeBoeuf	1411 Wilton Creek Road, Hartfield, VA 23071
5) Mark E. Holt, III	65 Farmers Dell Lane, Deltaville, VA 23043

V. Purpose For Which Authority Is Created

The Authority's purpose is to provide qualifying communications services as authorized by the Virginia Wireless Service Authorities Act ("Act") and Article 5.1 (§56-484.7:1 et seq.) of Chapter 15 of Title 56 of the Code of Virginia.

VI. Powers of the Authority

The Authority is an instrumentality exercising public and essential governmental functions to provide for the public health and welfare as authorized under the Act. The Authority shall have all rights, duties, and powers provided under the Act, including but not limited to, the power to sue and be sued in its own name, adopt an official seal, adopt bylaws and rules to govern its affairs, issue notes and revenue bonds, enter into contracts, and fix and charge fees for services.

BE IT 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.

John D. Miller, Jr.	aye
Wayne H. Jessie, Sr.	aye
Robert LeBoeuf	aye
Mark E. "Chip" Holt III	aye
Peter W. Mansfield	absent

A Copy Teste:



Matthew Walker, Clerk