

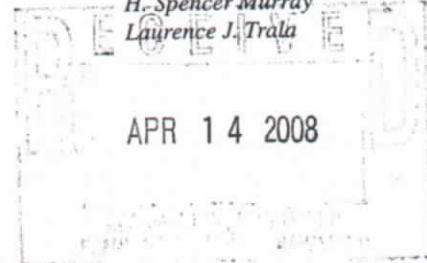


Board of Supervisors of Northampton County
Fastville, Virginia 23347

Katherine H. Nunez
County Administrator

PHONE: 757-678-0440
FAX: 757-678-0483

BOARD OF SUPERVISORS
Jeffrey K. Walker, Chairman
Richard B. Tankard, Vice Chairman
David A. Burden
William A. Hughes, Sr.
H. Spencer Murray
Laurence J. Trala



MEMORANDUM:

TO: Barb Schwenk
Economic Development Coordinator
ANPDC

FROM: Katie H. Nunez
County Administrator *Katie H. Nunez*

DATE: April 9, 2008

SUBJECT: Concurrent Resolution – Broadband Authority

At its meeting of April 8, 2008, the Northampton County Board of Supervisors unanimously adopted the enclosed Concurrent Resolution, creating the Eastern Shore of Virginia Broadband Authority.

If you have any questions, please advise.

Encl.

Cc: Steve Miner
Accomack County Administrator
County of Accomack
P. O. Box 388
Accomac, VA 23301

CONCURRENT RESOLUTION

A RESOLUTION CREATING THE
EASTERN SHORE OF VIRGINIA BROADBAND AUTHORITY

WHEREAS, a meeting of the Board of Supervisors of Accomack County, Virginia (Accomack) was held on the 16th day of April 2008, and a meeting of the Board of Supervisors of Northampton County (Northampton)(collectively "the localities") was held on the 8th day of April 2008, and this Concurrent Resolution was adopted upon motion duly made and seconded by each Board; and

WHEREAS, in order to promote economic development of the localities and for the comfort, convenience and welfare of the citizens thereof, the Accomack and Northampton County Boards of Supervisors have made a determination that a Wireless Broadband Authority needs to be created to provide high speed data service and internet access service to local businesses, local government, and the public.

NOW, THEREFORE, BE IT RESOLVED, that the Eastern Shore of Virginia Broadband Authority (hereinafter the Authority) be created pursuant to the Virginia Wireless Service Authorities Act, Chapter 54.1 §15.2-543.1.1 et seq.

The Articles of Incorporation of the Authority shall be as follows:

ARTICLES OF INCORPORATION OF THE EASTERN SHORE OF VIRGINIA BROADBAND AUTHORITY

The Accomack and Northampton County Boards of Supervisors pursuant to Virginia Code §15.2-543.1:1 et seq hereby establishes and adopts these Articles of Incorporation of the Eastern Shore of Virginia Wireless Broadband Authority:

- (a) The name of the Authority is "Eastern Shore of Virginia Broadband Authority."
- (b) The address of its principal office is: P.O. Box 417, Accomac, Virginia 23301
- (c) The Authority shall be physically located at the Accomack-Northampton Planning District Commission offices at 23372 Front Street, Accomac, Virginia.
- (d) The Authority shall consist of five voting members. Two members shall be the respective county administrators and three members shall be appointed from the community by agreement of the two County Boards of Supervisors.

County administrators from Accomack County and Northampton County will be appointed for four-year terms. The three appointees from the community shall have three-year terms as shown below. The names, addresses, and terms of office of the initial Members of the Authority are as follows:

Name of Member	Address	Term of Office
Steven Miner County Administrator Accomack County Representative	P.O. Box 388 Accomac, VA 23301	4 years
Katie H. Nunez County Administrator Northampton County Representative	P.O. Box 66 Eastville, VA 23347	4 years

Dimitri Plionis Economist	P.O. Box 658 Eastville, VA 23347	3 years
Michael Zodun Chief Information Officer Eastern Shore Rural Health Network	P.O. Box 1039 Nassawadox, VA 23413	3 years
Joseph L. Caffrey Business Consultant	P.O. Box 98 Onancock, VA 23417	3 years

The terms of office of the members shall begin on the date the certificate of incorporation or charter is issued by the State Corporation Commission. The successor of each member shall be appointed as is described above, either as a county administrator or a community member as chosen by both counties Boards of Supervisors, and new members shall be appointed for the same term. Any person who is appointed to serve the remaining term of his predecessor, however, shall serve only for the unexpired term of office. All members shall hold office until their successors have been appointed, and they may succeed themselves.

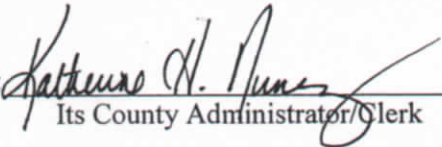
- (e) The purpose of the Authority is: The Authority is created to exercise all powers conferred by the Virginia Wireless Service Authority Act, Chapter 54.1 §15.2-543.1:1 et. Seq. and Article 5.1 §56.484.7:1.
- (f) The general business of the Authority, including the issuance of bonds not based upon the full faith, credit and assets of the Authority and the expenditure of funds for general expenses, shall be conducted by majority action of the Board of the Authority, provided, such Board may create an executive committee and such other committees as the Board may direct, including project committees. The Authority shall, from time to time, by majority action of the Board of the Authority, establish such fees and rates as shall be necessary to support the general activities of the Authority, provided, however, that, without its express agreement, no locality shall be required to pay any fees or assessments to support the general activities of the Authority.
- (g) The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. The Authority shall have all rights, duties and powers provided by the provisions of the Act, including the power to issue bonds for any valid purpose.

IN WITNESS WHEREOF, the Governing Bodies identified, by authorized action, have caused this Resolution to be approved after public hearings in each locality, properly advertised and conducted in conformity with the Act, and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing this 8th day of April, 2008.

This Resolution approved this 16th day of April, 2008, by the Accomack County Board of Supervisors.

This Resolution approved this 8th day of April, 2008, by the Northampton County Board of Supervisors.

For: Northampton County Board of Supervisors

By:  _____
Its County Administrator/Clerk

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A RESOLUTION CREATING THE
EASTERN SHORE OF VIRGINIA BROADBAND AUTHORITY

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WHEREAS, in order to promote economic development of the localities and for the comfort, convenience and welfare of the citizens thereof, the Accomack and Northampton County Boards of Supervisors have made a determination that a Wireless Broadband Authority needs to be created to provide high speed data service and internet access service to local businesses, local government, and the public.

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- (d) The Authority shall consist of five voting members. Two members shall be the respective county administrators and three members shall be appointed from the community by agreement of the two County Boards of Supervisors.

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Economist	Eastville, VA 23347	
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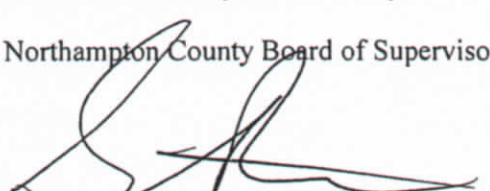
IN WITNESS WHEREOF, the Governing Bodies identified, by authorized action, have caused this Resolution to be approved after public hearings in each locality, properly advertised and conducted in conformity with the Act, and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing this 6th day, of April, 2008.

This Resolution approved this 16th day of April, 2008, by the Accomack County Board of Supervisors.

This Resolution approved this 8th day of April, 2008, by the Northampton County Board of Supervisors.

A COPY –

TESTE:


 Steven B. Miner, Clerk
 Accomack County Board of Supervisors