

ORANGE COUNTY, VIRGINIA
BOARD OF SUPERVISORS

R. MARK JOHNSON, DISTRICT ONE
JAMES K. WHITE, DISTRICT TWO
S. TEEL GOODWIN, DISTRICT THREE
JAMES P. CROZIER, DISTRICT FOUR
LEE H. FRAME, DISTRICT FIVE



MAILING ADDRESS:
P. O. Box 111
ORANGE, VA 22960

R. BRYAN DAVID
COUNTY ADMINISTRATOR

PHYSICAL ADDRESS:
R. LINDSAY GORDON III BUILDING
112 WEST MAIN STREET
ORANGE, VIRGINIA 22960

PHONE: (540) 672-3313
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MOTION: GOODWIN

April 26, 2016

SECOND: CROZIER

Regular Meeting

Res. No. 160426 – PH2

RE: RESOLUTION TO AUTHORIZE THE CREATION OF THE ORANGE COUNTY BROADBAND AUTHORITY

WHEREAS, the County of Orange has reviewed its current and future broadband needs and requirements; and

WHEREAS, this review has demonstrated that access to affordable high speed data and Internet service ("broadband") is unavailable to businesses and citizens in the vast majority of the County, and that the private sector alone will not fulfill this community need in the near future; and

WHEREAS, access to affordable broadband is important for fostering economic development, improving educational opportunities, ensuring public safety, and enhancing the overall quality of life for the citizens of Orange County; and

WHEREAS, the County has made a determination that in order to facilitate the provision of affordable broadband service to businesses, governmental agencies, and the general public, it is in the best interests of the general welfare of the citizens of the County to form a Broadband Authority;

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of April, 2016, that the Orange County Board of Supervisors hereby authorizes the creation of the Orange County Broadband Authority (the "Authority"), pursuant to the Virginia Wireless Service Authorities Act, Chapter 54.1 of Title 15.2 of the Code of Virginia (the "Act"), as a body politic and corporate, and as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare as authorized under the Act, and as set forth in the Orange County Broadband Authority Articles of Incorporation, as attached.

Votes:

Ayes: Johnson, White, Goodwin, Crozier, Frame.

Nays: None.

Absent from Vote: None.

Absent from Meeting: None.

For Information: Thomas E. Lachenev, County Attorney
Glenda E. Bradley, Finance Director

Attachment: Articles of Incorporation of the Orange County Broadband Authority

CERTIFIED COPY



Clerk to the Board of Supervisors



ARTICLES OF INCORPORATION OF THE ORANGE COUNTY BROADBAND AUTHORITY

I. Authority Name

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

The only member of the Authority shall be the County of Orange, Virginia, which is a political subdivision of the Commonwealth of Virginia, authorized by the Virginia Wireless Service Authorities Act (the "Act") to participate in this Authority ("Member").

II. Principal Address

The address of the Authority's principal office is the Orange County Administration Office, which is located at 112 West Main Street, Orange, Virginia 22960.

III. Authority Board

The Board of Directors of the Orange County Broadband Authority shall consist of five (5) members with terms of two (2) years to expire on December 31st of the year in which there is a Board of Supervisors election in Orange County.

There is no maximum number of consecutive terms an appointed director may serve. The initial appointed directors shall be the five (5) current members of the Orange County Board of Supervisors.

The Board of Directors of the Authority shall exercise the powers of the Authority, and members of the Board of Directors shall be appointed, serve, and be governed by the provisions of the Act. All members of the Board of Directors shall have full voting rights and privileges.

The names and addresses of the initial members of the Authority Board of Directors are as follows:

R. Mark Johnson
4422 Spotswood Trail
Barboursville, Virginia 22923

James K. White
22373 Berry Run Road
Orange, Virginia 22960

S. Teel Goodwin
P. O. Box 644
Orange, Virginia 22960

James P. Crozier
9651 Meadows Road
Mine Run, Virginia 22508

Lee H. Frame
103 Woodland Trail
Locust Grove, Virginia 22508

IV. Authority Purpose

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

V. Powers of the Authority

The Authority is an instrumentality exercising public and essential governmental functions to provide for the public health and welfare. 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.