

## **RESOLUTION TO CREATE A WIRELESS SERVICE AUTHORITY**

**WHEREAS**, the Board of Supervisors of Albemarle County (“the Board”) has duly advertised and held a public hearing on the creation of a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (*Virginia Code* § 15.2-5431.1 *et seq.*); and

**WHEREAS**, the Board finds that Albemarle County is unserved or underserved by qualifying communications services, and this affects public safety and is an economic, educational, and social disadvantage to the citizens of Albemarle County; and

**WHEREAS**, the Board has determined that the public health, safety, and welfare would be better served by the extension of qualifying communications services, including but not limited to, high-speed data service and Internet access service, of general application, into unserved or underserved areas of the County.

**NOW, THEREFORE, BE IT RESOLVED**, on this date, August 2, 2017, that the Albemarle County Board of Supervisors hereby creates a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (*Virginia Code* § 15.2-5431.1 *et seq.*) which shall be named the “Albemarle Broadband Authority” (the “Authority”); and

**BE IT FURTHER RESOLVED** that the Articles of Incorporation for the Authority are attached hereto as Attachment A and incorporated herein; and

**BE IT FURTHER RESOLVED** that the powers of the Authority will be exercised by a board of directors of five members appointed by the Board, which shall be composed of two members of the Board; two members selected from the offices of an Albemarle County Deputy County Executive, the Albemarle County Director of Finance, the Community Development Department’s Chief of Special Projects, and the Albemarle County Director of Information Technology (“County Officers”); and one citizen member; and

**BE IT FURTHER RESOLVED** that the terms of office of the members of the Authority’s board of directors shall be as follows: the terms of directors who are also members of the Board shall be concurrent with their elected term of office; the terms of directors who are also County Officers shall be for four years from the date of appointment or until the person ceases to hold the qualifying County office, whichever occurs first; and the term of the director who is a citizen shall be for four years from the date of appointment; and

**BE IT FURTHER RESOLVED** that the Authority’s board of directors shall receive compensation as fixed by resolution of the Board from time to time; and

**BE IT FURTHER RESOLVED** that the Authority shall have an annual audit conducted according to generally accepted auditing and accounting standards or according to the audit specifications and audit program prescribed by the Auditor of Public Accounts. A certified copy of the audit shall be filed promptly with the Clerk of the Board of Supervisors of County of Albemarle, Virginia; and

**BE IT FURTHER RESOLVED** that the Chair of the Board is authorized to sign the Articles of Incorporation for the Authority after they have been reviewed and approved as to form and substance by the County Attorney; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board is directed to take such other and further actions as are necessary to file the Articles of Incorporation with the State Corporation Commission.

\* \* \* \*

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a meeting held on August 2, 2017.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	___	___
Ms. Mallek	___	___
Ms. McKeel	___	___
Ms. Palmer	___	___
Mr. Randolph	___	___
Mr. Sheffield	___	___