



## *Municipal Corp. of Cape Charles*

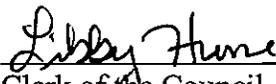
The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the "Town"), hereby certifies that:

1. A meeting of the Council of the Town (the "Council") was duly called and held on June 28, 2010 (the "Meeting").
2. Attached hereto is a true, correct and complete copy of Ordinance #20100628 (the "Ordinance") of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council present or absent at the Meeting and the recorded vote with respect to the foregoing Ordinance as set forth below:

<u>Member Name</u>	<u>Present</u>	<u>Absent</u>	<u>Voting</u>		
			<u>Yes</u>	<u>No</u>	<u>Abstaining</u>
Dora Sullivan, Mayor	X				
Chris Bannon	X		X		
Steve Bennett	X		X		
John Burdiss		X			
Gerald Elliott	X		X		
Bruce Evans	X		X		
Larry Veber	X		X		

4. The Ordinance has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 29<sup>th</sup> day of June 2010.

  
\_\_\_\_\_  
Clerk of the Council  
Town of Cape Charles, Virginia

(Seal)

**CAPE CHARLES TOWN COUNCIL**

**ORDINANCE 20100628**

**RE: JOINDER OF THE INCORPORATED TOWN OF CAPE CHARLES  
TO THE EASTERN SHORE OF VIRGINIA  
PUBLIC SERVICE AUTHORITY**

**RECITATIONS:**

A. Pursuant to proper advertisement thereof, a Public Hearing was held by the Town Council of Cape Charles on June 28, 2010, on the question of the adoption of this Ordinance.

B. Upon conclusion of said Public Hearing, and upon consideration of matters pertinent to the joinder of the incorporated Town of Cape Charles to the Eastern Shore of Virginia Public Service Authority ("the Authority"), the Council has concluded to approve the application of the Town of Cape Charles for joinder as a member of the Authority upon the condition that the Articles of Incorporation of the Authority be amended to provide to increase the number of members of the Authority's Board of Directors from five (5) to ten (10) and to provide that the powers of the Authority shall be exercised by ten (10) Authority Board members, all of whom shall be appointed in the following manner: One (1) Authority Board member shall be appointed by each of the four (4) participating towns (Towns of Cape Charles, Cheriton, Nassawadox and Exmore), and six (6) At-Large Authority Board members shall be appointed by the Northampton County Board of Supervisors, which appointees may or may not be members of the respective governing bodies.

**IT IS THEREFORE ORDAINED:**

The Town of Cape Charles applies for and consents to its joinder as a member of the Authority upon the condition that the Articles of Incorporation be amended to provide to increase the number of members of the Authority's Board of Directors from five (5) to ten(10) and to provide that the powers of the Authority shall be exercised by ten (10) Authority Board members, all of whom shall be appointed in the following manner: (1) Authority Board member shall be appointed by each of the four (4) participating towns (Towns of Cape Charles, Cheriton, Nassawadox and Exmore), and six (6) At-Large Authority Board members shall be appointed by the Northampton County Board of Supervisors, which appointees may or may not be members of the respective governing bodies.

**IT IS FURTHER ORDAINED:**

The name, address and initial term of office of the member of the Authority Board appointed by the Town of Cape Charles is as follows:

<u>Member</u>	<u>Address</u>	<u>Term of Office</u>
Bob Panek	2 Plum St., Cape Charles, VA 23310	Four Year Term

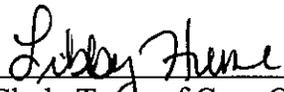
**FURTHER ORDAINED:**

The Town Attorney is hereby authorized and directed to apply to the State Corporation Commission for this approval of the joinder to the Authority.

**ADOPTED** this 28<sup>th</sup> day of June, 2010.

  
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Mayor Sullivan, Town of Cape Charles

ATTEST:

  
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Clerk, Town of Cape Charles