

**ARTICLES OF INCORPORATION  
FOR  
EASTERN SHORE OF VIRGINIA PUBLIC SERVICE AUTHORITY**

1. The name of the Authority shall be the Eastern Shore of Virginia Public Service Authority.

2. The address of the Authority's principal office shall be 16399 Courthouse Road, Eastville, Virginia 23347, and the mailing address of the Authority's principal office shall be Post Office Box 690, Eastville, Virginia 23347.

3. The registered office of the Authority shall be the same as the principal office of the Authority. The registered agent of the Authority shall be Bruce D. Jones, Jr., who is a resident of the Commonwealth of Virginia, whose business office is identical with such registered office and who is a member of the Virginia State Bar (VSB #17402). The mailing address of the registered agent shall be the same as the mailing address of the Authority's principal office.

4. ~~The powers of the Authority shall be exercised by seven (7) Authority Board members, three (3) of whom shall be appointed by the Northampton County Board of Supervisors, three (3) of whom shall be appointed by the Accomack County Board of Supervisors, and one (1) of whom shall be appointed by the other six (6) Authority members. To effect the appointment of the seventh (7<sup>th</sup>) member to the Authority, an affirmative vote of four (4) or more of the Authority members shall be required. The powers of the Authority shall be exercised by six (6) Authority Board members, three (3) of whom shall be appointed by the Northampton County Board of Supervisors and three (3) of whom shall be appointed by the Accomack County Board of Supervisors. The three (3) Authority members initially appointed by the Accomack County Board of Supervisors are the following, each of whom shall serve for the term of office indicated after his or her name. The powers of the Authority shall be exercised by five (5) Authority Board members, all of whom shall be appointed by the Northampton County Board of Supervisors. Three (3) of the five (5) Authority Board members shall be members of the Northampton County Board of Supervisors, and the other two (2) Authority Board members may be members of the Northampton County Board of Supervisors, or may be any other Northampton County residents. The appointments to succeed all five (5) Authority Board members whose terms of office will expire on December 31, 2007, shall be for four (4) year terms, each commencing on January 1, 2008, and extending through December 31, 2011. Thereafter, all successive appointments shall be for terms of four (4) years which shall coincide with the terms of office of the Northampton County Board of Supervisors.~~

The name, addresses and initial terms of office of the Accomack County members of the Authority Board are as follows:

<u>Members</u>	<u>Terms of Office</u>
(i) Gregory L. Duncan Post Office Box 156	(i) 1/1/00 through

	Nelsonia, VA 23414		12/31/00
(ii)	Julia E. Major 33081 Boston Road Painter, VA 23420	(ii)	1/1/00 through 12/31/01
(iii)	C. Parks Nicolls Post Office Box 235 Accomac, VA 23301	(iii)	1/1/00 through 12/31/02

The names, addresses and initial terms of office of the Northampton County members of the Authority Board are as follows:

	<u>Members</u>		<u>Terms of Office</u>
(i)	Arthur T. Carter Post Office Box 189 Franktown, VA 23354	(i)	1/1/00 through 12/31/00
(ii)	Suzanne T. Wescoat Post Office Box 97 Eastville, VA 23347	(ii)	1/1/00 through 12/31/01
(iii)	John W. White, Sr. Post Office Box 202 Cape Charles, VA 23310	(iii)	1/1/00 through 12/31/02

~~Except for the initial terms of offices aforesaid, all appointments of Board members shall be for a term of three (3) years, expressly including the term of office of the seventh member (who shall be appointed by the other six (6) Authority members). Each duly appointed Authority member shall hold office until his/her successor has been appointed, and each Authority member shall be entitled to succeed himself/herself. In the event that a vacancy is created by the death, resignation or removal of any Authority member, the appointment to fill such vacancy shall be for the unexpired portion of the remaining term.~~ The appointments to succeed the Authority Board members whose terms of office expire December 31, 2000, shall be for terms of three (3) years, commencing January 1, 2001, and extending through December 31, 2003; the appointments to succeed the Authority Board members whose terms of office expire December 31, 2001, shall be for terms of two (2) years, commencing January 1, 2002, and extending through December 31, 2003; the appointment to succeed the Authority Board members whose terms of office expire December 31, 2002, shall be for terms of one (1) year, commencing January 1, 2003, and extending through December 31, 2003. The appointments to succeed all six (6) Authority Board members whose terms of office will expire on December 31, 2003, shall be for four (4) year terms, each commencing on January 1, 2004, and extending through December 31, 2007. Thereafter, all successive appointments shall be for terms of four (4) years which shall coincide with the terms of office of the Accomack County and Northampton County Boards of Supervisors. Only members of the Accomack County and Northampton County

Boards of Supervisors shall be eligible for appointment to the governing Board of the Eastern Shore of Virginia Public Service Authority. In the event a vacancy is created by the death, resignation or removal of any Authority Board member, the appointment to fill such vacancy shall be for the unexpired portion of the remaining term.

5. The purposes for which the Authority is being created are to determine whether there is a need for the Authority to construct and operate a sewage disposal system, a sewer system, a water system, a stormwater control system, or any combination of such systems. If a need for any or all of such systems is determined, the feasibility thereof shall also be studied and reported, which feasibility study may include estimates of the cost of any proposed system, the proposed source of funding for such system, and preliminary estimates of initial rates for services of such systems as certified by responsible engineers. The Authority is further authorized to exercise those powers set forth in the Virginia Water and Waste Authorities Act which pertain to water and waste systems.

6. It is hereby declared to be impracticable to determine preliminary capital costs, specific projects to be undertaken by the Authority, and preliminary estimates of initial rates for services of such projects, certified by responsible engineers.

Adopted by Accomack County Board of Supervisors	September 22, 1999
Adopted by Northampton County Board of Supervisors	September 22, 1999
Amended by Accomack County Board of Supervisors	December 15, 1999
Amended by Northampton County Board of Supervisors	December 13, 1999
Amended by Accomack County Board of Supervisors	March 15, 2000
Amended by Northampton County Board of Supervisors	March 13, 2000
Action to Withdraw from PSA by Accomack Board	November 18, 2004
Amended by Northampton County Board of Supervisors	October 11, 2005