

AMHERST COUNTY BROADBAND AUTHORITY BOARD
CHARTER

1. **Purpose.** The purpose of the Amherst County Broadband Authority (hereinafter Broadband Authority or, BA) is to assist the Board of Supervisors by providing information, advice, recommendations and reports in the area of public access to the internet. It is to provide “qualifying communication services” as authorized by the Virginia Wireless Service Authorities Act and as defined in Article 5.1 of Chapter 15 of Title 56 of the Code of Virginia.

2. **Goals.** The goals of the Broadband Authority are to assist in the provision and expansion of broadband service throughout Amherst County and to provide specific, measurable, reasonable and timely information, advice, recommendations and reports on matters requested from the Board of Supervisors or otherwise within its purview. The BA may have other specific goals provided to it by statutes or regulation. It is authorized to establish its own goals to further the County's interests in the area of its purview so long as they do not supersede specific responsibilities enumerated within this document. Other goals include the following:

The Broadband Authority may expect to receive specific objectives for each year from the Board of Supervisors toward which it will be expected to achieve and report its progress.

3. **Membership.** The Broadband Authority will consist of five (5) voting members, comprised of the county’s elected Supervisors. Each voting member will serve for a term defined by the time of their Supervisor seat. Public advertising to fill vacant seats is not required. Voting members need not be sworn into office by the Clerk of the Circuit Court. Additional non-voting members of the BA may be invited by the BA to participate in specified, limited, non-voting capacities.

4. **Meetings.** Meetings of the Broadband Authority will be held on an as needed basis, as publicly announced. Regular meetings will not be held. Summarized minutes will be taken in the format specified by the County Administrator and submitted to the County Administrator no later than 30 days from the date of the meeting. The agenda for each meeting is determined by the Chairman with the assistance of the Secretary.

5. **Reports.** The Broadband Authority is required to provide a written report of its activities to the County Administrator, when requested. The County Administrator will direct the format and content of the report. On occasion, the County Administrator may seek specific information, guidance, input or recommendations from the BA on a matter being prepared for consideration by the Supervisors. The Administrator will specify the format of the information sought.

6. **Structure.** The Broadband Authority will be organized pursuant to ACR 1-3.10 except that it may carry out such functions and purposes as are set forth in its Articles of Incorporation and the Wireless Service Authorities Act, which control in the event of a conflict with this Charter.

7. **Youth Participation.** The Broadband Authority may have a youth representative who will serve for a period of one year. S/He is selected by the Chairman who will employ a selection process if there is more than one applicant for the seat. The youth participant(s) will not be voting members of the BA. They shall receive all meeting announcements, agendas and preparatory information as a normal member so they may participate and provide input as full members regardless of whether they hold a vote. They are

subject to the same membership requirements as the adult members and may be removed for the same causes. Youth may be recruited from the school system or other specified organizations. They are to receive a letter or certificate at the end of their term to memorialize their service.

8. **Staff Support.** The Broadband Authority can expect to receive support directly from the County Administrator who will serve as the BA's secretary. The County Attorney is also available to answer legal questions. County email accounts will be opened for each member to facilitate communications. Copier, postage and other support can be made available through the County Administrator's Executive Assistant.

9. **Authority.** The Broadband Authority may represent the County of Amherst to the Central Virginia Planning District Commission and its regional partner organizations with the understanding that all final decisions regarding County business resides solely with the Board of Supervisors. The BA may not represent the County to state, federal, nonprofit or commercial and industrial organizations without coordination with the County Administrator. As a separate entity with the legal right to contract, issue decisions and/or otherwise run its own affairs, the BA is expected to keep the County Administrator apprised of any and all activities it undertakes which may have a significant effect upon the County or its interests, especially its budget.

10. **Official Acts.** Acts of the Broadband Authority shall be performed by majority vote and recorded in official minutes. Only the Chairman of the BA, as an individual, may speak for the body but must be careful not to overstep the bounds of consensus within the BA. Decisions shall be reached according to ACR 1-3.8.

11. **Virginia Freedom of Information Act.** The Broadband Authority is a "public body" under the Virginia Freedom of Information Act. It is the responsibility of the Chairman, with the assistance of the Secretary to ensure compliance with all facets of this law.

12. **State and Local Governments Conflict of Interests Act.** Members of the Broadband Authority are designated, non-salaried, citizen appointees to local boards and commissions which must file the annual Financial Disclosure Statement during the end of the year filing period (by February 1). They are not members of planning commissions, boards of zoning appeals, or real estate assessors who are required to file an annual Disclosure of Real Estate Holdings. The submission of the Financial Disclosure statement is a condition of taking office or appointment and annually thereafter on or by February 1. The relevant forms are provided by and filed with the County Administrator.