

ORDINANCE OF THE CITY OF GLENVILLE, AN ORDINANCE ESTABLISHING THE UTILITY COMMISSION OF THE CITY OF GLENVILLE: PROVIDING FOR THE APPOINTMENT OF MEMBERS THERETO: AND ESTABLISHING POWERS AND FUNCTIONS OF SAID COMMISSION.

WHEREAS, the Common Council of the City of Glenville desires to establish a board with full powers and authority to assist in the operation of Glenville Utility, a company wholly owned by the City of Glenville, in accordance with the provisions of Chapter 8, Article 12, Sections 1 through 15 of the West Virginia Code (Michie's 1961 as amended).

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF GLENVILLE THAT:

SECTION ONE: There is hereby created as an official board of the City of Glenville the following: The Utility Commission of the City of Glenville.

SECTION TWO: The Utility Commission of the City of Glenville shall operate, maintain, improve, construct, rehabilitate and extend said Glenville Utility in the City of Glenville and surrounding areas.

SECTION THREE: The Utility Commission shall have and may exercise any and all powers, privileges and authority which have been granted or conferred, or which may hereafter be granted or conferred, upon similar municipal boards and commissions by the Legislature of West Virginia, including, but not limited to, all of the powers, privileges and authority granted and conferred under the provisions of Chapter 8, Article 12, Sections 1 through 15 of the West Virginia Code (Michie's 1961 as amended). The Utility Commission of the City of Glenville may additionally exercise such other powers, privileges and authority as are granted and conferred by the Council of the City of Glenville.

- SECTION FOUR:**
- (a) The Utility Commission of the City of Glenville shall consist of three appointed members, who shall have full voice and vote in the actions of the Commission, and the Mayor of the City of Glenville, who shall serve as an ex officio member with no vote. The members of the Commission shall be appointed by the Council without regard to political party affiliation. Each appointed member shall serve a term as hereinafter specified.
 - (b) One member of the Commission shall be appointed to a term of three years duration. Another member shall be appointed to a term of two years duration. At the end of each term the Council shall be expected to appoint an

individual to fill any vacancy for a term of three years. Members of the Commission are not limited as to the total amount of terms they may serve and may be re-appointed. The Mayor shall serve in his ex officio capacity as long as he is Mayor of the City of Glenville.

- (c) In the event of death, resignation, inability or unwillingness to serve of any member except the Mayor, the Council shall appoint a successor to such member to serve for his unexpired term.
- (d) A member of the Commission may be removed from the Commission before his term has expired. In this case, the Council must list the reason it desires to remove the member, the member must have an opportunity to answer any charges against him in public, and the vote of the Council to remove must be by at least a two-thirds majority.
- (e) Members of the Commission shall serve at no pay until such time as Glenville Utility becomes self-supporting at which time they shall be paid for their services.
- (f) The Commission shall be expected to be responsible for its own internal organizational structure. One member shall be named Chairman by the Commission and shall be expected to act in that capacity as a representative of the Commission.

SECTION FIVE: The initial membership of the Utility Commission of the City of Glenville shall consist of the following members, who shall serve for the following terms:

- (1) The Mayor of Glenville, who shall serve ex officio for the duration of his term of office.
- (2) Robert Arnold, who shall serve a term of three years.
- (3) David Gillespie, who shall serve a term of two years.
- (4) Robert Gainer, who shall serve a term of one year.

CERTIFICATE OF ENACTMENT

I, Ronald Joe Gregory, Mayor, do hereby certify that the foregoing ordinance was lawfully ordained and enacted by the Common Council of the City of Glenville at a special session assembled on February 17, 1978, as an emergency ordinance, and said ordinance shall be in immediate force and effect as of February 17, 1978.

Ronald Joe Gregory
Mayor

ATTEST:

Edna White
City Recorder