WEST VIRGINIA CODE: §16-13D-6

§16-13D-6. Governing body; appointments; terms of members, voting rights.

The governing body of the authority shall consist of not less than three persons selected by the governing body of the public agency. When the authority is organized by more than one public agency, each participating public agency shall appoint at least one member.

The governing body of the authority shall consist of at least one member of the following categories: (1) A professional engineer licensed by the State of West Virginia, (2) a certified public accountant licensed by the State of West Virginia, or (3) an attorney licensed and in good standing with the West Virginia State Bar. Each member of the board must be a rate-paying residential customer of the authority.

For purposes of this section, "rate-paying residential customer" means a person who: (1) In the case of water or wastewater service, is physically connected to and actively receiving residential utility services from the authority; or (2) in the case of stormwater service, has stormwater conveyed away from the residential property by facilities owned by the authority. Each member’s full term shall be not less than one year nor more than four years and initial terms shall be staggered in accordance with procedures set forth in the organization document or agreement provided for in §16-13D-3 of this code, and amendments thereto. In the case of an authority which is made up by the agreement of two public agencies, each public agency shall appoint at least two representatives to the governing body.

When the authority is organized by more than one public agency the manner of selection of the governing body and terms of office shall be set forth in the agreement provided for in §16-13D-3 of this code, and amendments thereto. The governing body of the authority shall elect one of its members as president, one as treasurer and one as secretary.

Each member shall have one vote in any matter that comes before the authority for decision. However, when the authority is organized by more than one public agency, the member agencies shall, in the original agreement establishing the authority, set forth any special weighing of the votes based upon population served, volumes of water purchased, volumes of wastewater treated, volumes of stormwater collected and disposed numbers of customers, or some other criterion, so as to maintain fairness in the decisions and operations of the authority.

WV Legislature