

REVISED AS OF SEPTEMBER 15, 1993

BY-LAWS

OF

BRUNSWICK COUNTY AIRPORT COMMISSION

ARTICLE I.  
NAME AND ORGANIZATION

The 1961 Session of the North Carolina General Assembly, Raleigh, North Carolina, pursuant to House Bill No. 437, Chapter 411 of the 1961 Session Laws, authorized the City of Southport, the Town of Boiling Spring Lakes, the Town of Long Beach, and Brunswick County to establish an Airport Commission. Thereafter the Towns and the County, pursuant to a joint Resolution, adopted on or about July 1, 1961, formed and organized an Airport Commission known thereafter as the Southport, Boiling Spring Lakes, Long Beach and Brunswick County Airport Commission.

The 1991 Session of the General Assembly of North Carolina, Raleigh, North Carolina, pursuant to House Bill No. 819, deleted the Town of Boiling Spring Lakes as a member of the Commission and added in lieu thereof the Town of Yaupon Beach; and incorporated the name the Commission had adopted and used for more than 20 years, the Brunswick County Airport Commission, and clarified the make-up of the Commission by incorporating the following language:

There is hereby created a Board to be known as the Brunswick County Airport Commission whose membership shall consist of Southport, Yaupon Beach, Long Beach and Brunswick County and which Board is hereby constituted a Body Politic and Corporate.

ARTICLE II.

POWERS AND AUTHORITY

Pursuant to Chapter 411 of the 1961 Session Laws (House Bill No. 437) and the House Bill No. 819 of the 1991 Session of the General Assembly of North Carolina, the Airport Commission shall be vested with the power of eminent domain; to own and hold lands and properties; to issue bonds or other securities or obligations for the purpose of providing funds for the acquisition of lands, construction and operation of said Airport Facility for Brunswick County together with all powers as set out in Chapter 63 of the General Statutes of North Carolina.

### ARTICLE III.

#### PURPOSE

The purpose of the Airport Commission shall be to acquire lands, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate airports or landing fields within the County to provide and maintain an Airport Facility for the use of the General Aviation Public and to promote the economic development of Brunswick County.

### ARTICLE IV.

#### PLACE OF BUSINESS

The principal place of business of the Brunswick County Airport Commission shall be located at the Brunswick County Airport, Beach Road, Southport, North Carolina 28461.

### ARTICLE V.

#### MAKE UP OF COMMISSION

The Brunswick County Airport Commission shall be made up of and its membership shall consist of the City of Southport, the Town of Yaupon Beach, the Town of Long Beach, and the County of Brunswick.

### ARTICLE VI.

#### MEMBERSHIP

SECTION 1. NUMBER OF MEMBERS: The Commission shall be comprised of seven (7) members all of whom shall be experienced businessmen with no qualifications as to residence, and shall be appointed as follows: one (1) member shall be appointed by the City of Southport; one (1) member shall be appointed by the Town of Long Beach; one (1) member shall be appointed by the Town of Yaupon Beach; and four (4) members shall be appointed by the County of Brunswick.

SECTION 2. TERM OF OFFICE: Each member shall be appointed at an effective date which shall be at the option of the appointing body and shall be for four (4) years.

SECTION 3. VACANCIES: Appointments to vacancies created by death, resignation or for other reasons shall be made by the respective member of the Commission who made the appointment in the first place. Appointments to such vacancies shall be for the remaining balance of the Term and shall not be made for a full four (4)-year term unless such appointment is made on the beginning date of the term.

SECTION 4. COMPENSATION: Members shall receive no compensation, per diem or otherwise, but shall be allowed and shall be paid actual expenses incurred in the transaction of business and at the instance of the Commission.

SECTION 5. REMOVAL FROM OFFICE: A member may be removed from office if he shall have missed three (3) consecutive regular meetings of the Commission without first having been excused by the Chairman. Such removal from office must be done by a unanimous vote of all members of the Commission at a regularly scheduled meeting and such action of the Commission shall be given to such member in writing by certified US mail.

## ARTICLE VII.

### MEETINGS

SECTION 1. PLACE OF MEETINGS: All meetings of the Commission shall be held at the Brunswick County Airport or at such other place as shall be designated in the notice of meeting.

SECTION 2. TIME OF MEETINGS: All regularly scheduled meetings of the Commission shall be on a monthly basis and shall be held on the third Wednesday of each month.

SECTION 3. SPECIAL MEETINGS: Special meetings of the Commission may be called at any time by the Chairman or by any two (2) members of the Commission.

SECTION 4. ANNUAL MEETINGS: The annual meeting of the Commission shall be held in conjunction with the regular scheduled meeting, the third Wednesday in December of each year for the purpose of electing officers of the Commission and for the purpose of transacting such other business as may be properly brought before the Commission.

SECTION 5. NOTICE OF MEETINGS: Written or printed notice stating the time and place of the meeting shall be delivered to each member not less than forty-eight (48) hours prior to such meeting by the Chairman or other persons calling the meeting.

In the case of special meetings, the notice shall specifically state the purpose for which the meeting is called and no additional matters may be considered at that meeting.

In the case of adjourned meetings for more than thirty (30) days, notice of the adjourned meeting shall be given as in the case of a regular meeting. When adjourned for less than thirty (30) days in any one adjournment, it shall not be necessary to give notice of the adjourned meeting other than by announcing it at the meeting at which the adjournment shall have been taken.

SECTION 6. CANCELLATION OF MEETINGS: All meetings, both regular and special, may be cancelled by giving reasonable notice to each member of the Commission and by posting a Notice of Cancellation at the place of meeting.

SECTION 7. QUORUM: A majority of four (4) members of the Commission entitled to vote shall constitute a quorum which shall be necessary for the Commission to hold a meeting.

In the case where a member or members leave or withdraw from a duly organized meeting, leaving less than a quorum of members present, the members remaining may continue to transact business until the meeting is adjourned.

SECTION 8. PROXIES: A member of the Commission must be present in order to vote on any business transacted at such meeting, and voting by proxy shall not be authorized or permitted.

SECTION 9. EMERGENCY MEETINGS: All emergency meetings of the Commission shall be held in accordance with and as prescribed by law.

## ARTICLE VIII.

### FISCAL YEAR

The fiscal year of this Commission shall run from July 1 through June 30 of each calendar year and shall be the same fiscal year as used and observed by the member towns and county of this Commission and the same fiscal year as used and observed by the State of North Carolina.

## ARTICLE IX.

### RULES OF PROCEDURE

All meetings and proceedings of this Commission shall be governed and conducted according to Robert's Manual of Parliamentary Procedure, and according to any other rules which this Commission may adopt from time to time.

## ARTICLE X.

### OFFICERS

SECTION 1. OFFICERS OF THE COMMISSION: The officers of the Commission shall consist of a Chairman, a Vice-Chairman, a Secretary, a Treasurer, and such other officers as may be elected from time to time. Any two or more offices may be held by the same person, but no officer may act in more than one capacity where action of two or more officers are required.

SECTION 2. ELECTION AND TERM: The officers shall be elected for a one (1)-year term by the Commission at its annual meeting in December of each year, and shall take office at the next regular January meeting and serve until the following regular January meeting. Each officer shall hold office until his death, resignation, retirement, removal, disqualification or his successor shall have been elected and qualified.

SECTION 3. CHAIRMAN: The Chairman shall in general supervise all of the business and affairs of the Commission, and he shall, when present, preside over all meetings of the Commission. He shall have the same rights and privileges as other duly appointed members of the Commission and shall be able to make motions and vote on any matters coming before the Commission.

He shall sign, along with the secretary or any other proper officer, all contracts, deeds, mortgages, bonds, and all other instruments which the Commission has authorized to be executed or such other documents which he shall be required to sign by law.

And in general he shall perform all duties incident to the office of Chairman, and shall perform all other duties as may be prescribed by the Commission from time to time.

SECTION 4. VICE-CHAIRMAN: In the absence of the Chairman or in the event of his inability or refusal to act, the Vice-Chairman shall perform the duties of the Chairman and when so acting shall have all the powers of and be subject to all the restrictions imposed upon the Chairman.

SECTION 5. SECRETARY: The Secretary shall in general perform all the duties incident to the office and such other duties as from time to time may be assigned to him by the Chairman or by the Commission. In addition, the Secretary shall do and perform the following things:

- (a) Keep the minutes of all meetings of the Commission in one or more books provided for that purpose;
- (b) See that all notices are duly given in accordance with the provision of these BY-LAWS or as required by law;

(c) Be 'custodian of the Commission records, the Seal of the Commission, and see that the Seal of Commission is affixed to all documents executed on behalf of the Commission; and

(d) Keep a record of the members of the Commission, their names, addresses and telephone numbers.

SECTION 6. TREASURER: The Treasurer shall in general perform all the duties incident to the office, and he shall perform such other duties as from time to time may be assigned to him by the Chairman or by the Commission. In addition, the Treasurer shall do and perform the following things:

(a) Have charge, custody, and be responsible for all funds, receive and give receipts for monies due and payable to the Commission, and deposit all monies in the name of the Commission in such depositories as shall be selected by the Commission;

(b) Prepare, or cause to be prepared, a true statement of the Commission's assets and liabilities as of the close of each fiscal year;

(c) Prepare and present to the Commission a proposed budget in time so that the Commission may adopt the budget prior to the beginning of the fiscal year;

(d) The Treasurer, along with the Chairman, shall jointly sign all checks, drafts, bills of exchange and other negotiable instruments, and shall be responsible for seeing that all bills and debts of the Commission have been paid; and

(e) He shall give bond to the Commission, if required to do so, and faithfully perform the duties of this office.

## ARTICLE XI.

### CONTRACTS, CHECKS, AND DEPOSITS

SECTION 1. CONTRACTS: The Commission from time to time may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in its name and on its behalf, and such authority may be in general or it may be confined to a specific incidence.

SECTION 2. CHECKS AND DRAFTS: All checks, drafts or other orders for payment of money, issued in the name of the Commission, shall be signed by the Chairman and the Treasurer or in such other manner as may be directed by the Commission from time to time.

SECTION 3. DEPOSITS: All funds of the Commission shall be deposited from time to time to the credit of the Commission and in such depositories as it may select.

SECTION 4. TELEPHONE CHARGES: Any telephone charges, charged to Brunswick County Airport Commission, will be for business pertaining to the Airport. When officially approved for payment, said charges will not be subject to further questioning.

ARTICLE XII.

SECTION 1. AMENDMENTS: From time to time these BY-LAWS may be amended or repealed and new BY-LAWS may be adopted by the affirmative vote of a majority of the members then holding office at any regular scheduled meeting of the Commission.

These BY-LAWS were duly voted on and adopted by the Commission at its regularly scheduled meeting on the 15th day of September 1993 at its principal place of business at the Brunswick County Airport, Beach Road, Southport, North Carolina.

DONE THIS 15th day of September, in the Year of our Lord One thousand nine hundred and ninety three and in the two hundred seventeenth year of our independence.

BRUNSWICK COUNTY AIRPORT COMMISSION

BY: James B. Moore

CHAIRMAN

(SEAL)

ATTEST:

Robert L. Miller  
SECRETARY