

# **DARE COUNTY AIRPORT AUTHORITY**

## **BYLAWS**

**Revision Date: January 31, 2007**

CONTENTS

ARTICLE 1 - NAME AND POWERS ..... 1  
    Section 1. Name. ..... 1  
    Section 2. Powers. ..... 1

ARTICLE 2 - OBJECTIVES ..... 1  
    Section 1. Purpose. ..... 1

ARTICLE 3 - OFFICES ..... 1  
    Section 1. Offices. ..... 1  
    Section 2. Other Offices. ..... 1

ARTICLE 4 - MEMBERS ..... 2  
    Section 1. General Powers and Responsibilities of Members. ..... 2  
    Section 2. Number, Term, Appointment and Qualification. ..... 2  
    Section 3. Vacancies. ..... 2  
    Section 4. Attendance Policy Adopted by the Dare County Board of Commissioners. . 2  
    Section 5. Resignation. ..... 4  
    Section 6. Responsibilities. ..... 4  
    Section 7. Executive Committee. ..... 4  
    Section 8. Joint Committee. ..... 4  
    Section 9. Compensation. ..... 5  
    Section 10. Ex-Officio Members. ..... 5

ARTICLE 5 - MEETINGS OF MEMBERS ..... 5  
    Section 1. Regular Meetings. ..... 5  
    Section 2. Special Meetings. ..... 5  
    Section 3. Quorum. ..... 6  
    Section 4. Conflicts of Interest; Abstentions. ..... 6

ARTICLE 6 - OFFICERS ..... 6  
    Section 1. Number. ..... 6  
    Section 2. Election and Term. ..... 6  
    Section 3. Terms of Office. ..... 6  
    Section 4. Chair. ..... 7  
    Section 5. Vice Chair. ..... 7  
    Section 6. Secretary. ..... 7  
    Section 7. Treasurer. ..... 8  
    Section 8. Vacancies. ..... 8  
    Section 9. Appointed Officers. ..... 8

ARTICLE 7 - PARLIAMENTARY PROCEDURE ..... 8

ARTICLE 8 - AIRPORT EMPLOYEES .....	9
Section 1. <u>Airport Employees in General.</u> .....	9
Section 2. <u>Airport Director.</u> .....	9
Section 3. <u>Joint Committee with the Board of Commissioners.</u> .....	9
ARTICLE 9 - ACCOUNTING AND FINANCE .....	10
Section 1. <u>Accounting and Finance Procedures</u> .....	10
Section 2. <u>Cash Management Policy.</u> .....	10
ARTICLE 10 - COMMITTEES .....	10
Section 1. <u>Required Standing Committees.</u> .....	11
Section 2. <u>Other Committees.</u> .....	11
ARTICLE 11 - PUBLIC ATTENDANCE AT AIRPORT AUTHORITY MEETINGS .....	11
Section 1. <u>Public Meetings.</u> .....	11
Section 2. <u>Procedure for Public Participation at the Option of the Chair.</u> .....	11
ARTICLE 12 - FISCAL YEAR .....	12
ARTICLE 13 - GENERAL PROVISIONS .....	13
Section 1. <u>Amendments.</u> .....	13
Section 2. <u>Waiver of Notice.</u> .....	13
Section 3. <u>Miscellaneous.</u> .....	13

# BYLAWS OF THE DARE COUNTY AIRPORT AUTHORITY

## ARTICLE 1 - NAME AND POWERS

Section 1. Name. The name of this municipal corporation shall be the DARE COUNTY AIRPORT AUTHORITY, hereinafter referred to as the "Airport Authority." The Airport Authority was created by the North Carolina General Assembly in Chapter 503 of the Session Laws of 1971, House Bill 861 in the Session dated June 3, 1971, hereinafter referred to as the "Enabling Legislation."

Section 2. Powers. The Airport Authority shall be a body corporate and politic and shall have all of the powers and jurisdiction enumerated in the Enabling Legislation and such other and additional powers as shall be conferred upon it by future acts of the General Assembly.

## ARTICLE 2 - OBJECTIVES

Section 1. Purpose. The purposes and objectives of the Airport Authority are as follows: (1) to maintain, operate, regulate and improve all airports in Dare County owned by the Dare County Airport Authority and/or the County of Dare (including the Dare County Regional Airport) (all of which may be collectively referred to herein as "Airport"); (2) to promote and encourage air travel to and from Dare County, North Carolina, for the benefit of Dare County residents and businesses; (3) to promote and encourage interest in airplane operation and ownership; (4) to purchase, lease, or otherwise acquire, hold, own, use, and operate real and personal property including airplanes, airports, hangars and such other aircraft equipment and appurtenances thereto and services for the same, as may be incidental to the use and operation thereof, and such other real or personal property or other facilities as may be required for the use of the Airport Authority; and (5) to make decisions on matters pertinent to the operation, maintenance and control of the Airports in Dare County.

## ARTICLE 3 - OFFICES

Section 1. Offices. The principal office of the Airport Authority shall be at 410 Airport Road, Manteo, Dare County, North Carolina, or such other location as may be established by the Airport Authority.

Section 2. Other Offices. The Airport Authority may have offices at such other places in Dare County as the Members from time to time determine, or as the affairs of the Airport Authority may require.

## ARTICLE 4 - MEMBERS

Section 1. General Powers and Responsibilities of Members. The business and affairs of the Airport Authority shall be managed by the Members and by the Dare County Board of Commissioners as set forth in the Enabling Legislation, as the same may, from time to time, be amended. The Members shall, for the purpose of doing business, constitute the Board of Directors of the Airport Authority.

Pursuant to these Bylaws, the Members may establish Committees to assist in the management of the business and affairs of the Airport Authority. The Enabling Legislation provides for the concurrent powers and responsibilities of the Airport Authority and the Dare County Board of Commissioners (hereinafter Board of Commissioners) in the maintenance and operation of Dare County Airports. Both the Airport Authority and the Board of Commissioners shall work concurrently to carry out their related public functions of operating and funding the Dare County Regional Airport.

The Airport Authority has the authority to manage the day-to-day operation of Dare County Airports, including, but not limited to, the control and licensing of the facilities, dealing with the Federal Aviation Administration, the North Carolina Division of Aviation, and other regulatory bodies, and the exercise of such other powers as set forth herein and in the Enabling Legislation. The Board of Commissioners retains the power: (a) to appoint the Members of the Airport Authority as provided by the Enabling Legislation; (b) to provide funding to the Airport Authority in such proportions and upon such basis as may be determined by the Commissioners, consistent with the provisions of the Enabling Legislation; and (c) to exercise its right to request such changes in the Enabling Legislation as may be advisable.

Section 2. Number, Term, Appointment and Qualification. The Airport Authority shall consist of nine (9) Members appointed to staggered terms of four (4) years by the Board of Commissioners. These nine (9) Members of the Airport Authority shall hereinafter be referred to as the "Board of Directors" or "Board." All of the Members shall be residents of Dare County, North Carolina.

Section 3. Vacancies. Upon the occurrence of any vacancy on the Board, said vacancy shall be filled by the Board of Commissioners within sixty (60) days after notice thereof at a regular meeting of the Board of Commissioners.

Section 4. Attendance Policy Adopted by the Dare County Board of Commissioners. The following portions of the Dare County Board of Commissioners' Policy on Attendance for Appointees to Boards and Commissions, effective April 7, 2003, are applicable to the Dare County Airport Authority:

(a). Faithful attendance at all meetings and other official functions and activities of boards and commissions shall be a condition of continued service on the boards and commissions to which all members are appointed by the Dare County Board of Commissioners. For purposes of this policy, "faithful attendance" at regular meetings of the board or commission is defined as follows:

(1). For boards and commissions that hold regular meetings on a quarterly basis, 75% attendance at all such meetings (3 out of 4 meetings per year).

(2). For boards and commissions that hold regular meetings on a bi-monthly, 66% attendance at all such meetings (4 out of 6 meetings per year).

(3). For boards and commissions that hold regular meetings on a monthly basis, 75% attendance at all such meetings (9 out of 12 meetings per year).

In addition, "faithful attendance" also includes a good faith effort to attend special and emergency meetings, functions, site visits, or other official activities of the board or commission.

(b). All candidates for appointment by the Board of Commissioners to serve on a board and commission shall affirm their commitment to faithful attendance consistent with this policy prior to appointment. Failure to make such affirmation may result in disqualification of the candidate from consideration for appointment.

(c). Any member who is unable to attend any meeting or official function or activity of the board or commission to which the member is appointed shall, to the extent practicable, inform the Chair or appropriate staff of the member's inability to attend and the reason for such prior to the scheduled meeting or activity. Non-attendance determined by the Chair to be legitimate (such as illness, death in the family, professional obligations which would result in hardship if cancelled, etc.) shall be excused and shall not be considered failure to comply with the provisions of this policy.

(d). Any member who consistently fails to comply with the attendance requirements of this policy shall tender his or her resignation to the Chair of the board or commission. The Chair shall promptly forward the member's resignation to the Board of Commissioners so that the vacancy may be filled.

(e). The Chair of each Board or Commission shall assume responsibility for monitoring the attendance of members of the board or commission over which the Chair presides. The Chair shall notify the Board of Commissioners of any member(s) who consistently fail to adhere to this policy and, if appropriate, make recommendation to the Board of Commissioners that the member(s) be removed.

(f). If compensation is authorized for service on a board or commission, members shall not be eligible for compensation unless actual attendance has been verified; no compensation

shall be paid for meetings or other official functions or activities otherwise authorized for compensation unless the member in fact attends the meeting or other official function or activity. Verification of attendance shall be made upon signature of the Chair, or staff designated by the Chair.

Section 5. Resignation. Resignation of any Member must be in writing and submitted by the resigning Member to the Board of Commissioners and to the Chair of the Airport Authority. The effective date of such resignation shall be as follows:

- (a). If the effective date of the resignation is stated in the letter of resignation, then the effective date shall be that date.
- (b). If no effective date of the resignation is stated in the letter of resignation, then the effective date is the date of the letter.
- (c). If no effective date of the resignation is stated in the letter of resignation and the letter is undated, then the effective date is the date of receipt of the letter by the Authority.

Section 6. Responsibilities. The governing and policy-making responsibilities and the day-to-day operation and maintenance of Dare County Airports, including, but not limited to, the control and licensing of the facilities, dealings with the Federal Aviation Administration, the North Carolina Division of Aviation, and other regulatory bodies, and the exercise of other powers as set forth in the Enabling Legislation, shall be vested in the Members.

Section 7. Executive Committee. The Executive Committee shall consist of the four (4) duly elected officers of the Authority (Chair, Vice Chair, Secretary and Treasurer). A majority of the Authority Members may adopt a resolution designating one or more alternate members of the Executive Committee for the time period stated in the resolution (or if no time period is stated, indefinitely until subsequent action is taken by the Authority Members), in the event where one or more of the officers cannot attend a meeting of the Executive Committee. Any alternate members of the Executive Committee must be current Members of the Airport Authority. The maximum number of members of the Executive Committee shall be four (4), and a quorum of three (3) members of the Executive Committee shall be required in order for the Executive Committee to deliberate or take action at any meeting of the Committee. No more than four (4) Members of the Airport Authority, whether or not they are members of the Executive Committee, may participate in the deliberation or discussion at a meeting of the Executive Committee. The Executive Committee, unless provided otherwise by resolution of the Airport Authority, shall have and may exercise all of the authority of the Members in the management of the Airport Authority.

Section 8. Joint Committee. The Airport Authority and the Board of Commissioners shall establish a Joint Committee of two (2) members of each body to examine and manage current issues of concern to the Airport Authority. Reference is made to Article 8, Section 3 of these Bylaws regarding the Joint Committee.

Section 9. Compensation. The Members shall receive a per diem compensation as fixed by the Board of Commissioners from time to time. The Members shall be allowed and paid their actual traveling expenses incurred in transacting Airport Authority business and expenses incurred at the instance of the Airport Authority.

Section 10. Ex-Officio Members. The following persons shall be ex-officio members of the Airport Authority: (1) Any member or members of the Dare County Board of Commissioners who shall be appointed by the Dare County Board of Commissioners to the Airport Authority, and (2) Any member or members of the Airport Authority who shall be elected to or otherwise becomes a member of the Dare County Board of Commissioners. Any and all ex-officio members may vote on all matters coming before the Airport Authority. The presence of any or all ex-officio members at any meeting of the Airport Authority shall be counted for quorum purposes. Because each ex-officio member of the Authority serves on the Authority by virtue of his or her office as a Dare County Commissioner, a newly appointed ex-officio member of the Airport Authority does not need to be sworn in as a new member of the Airport Authority unless his or her term as a Dare County Commissioner expires during his or her term as a member of the Airport Authority, at which time the member is no longer an ex-officio member and must be sworn in as a member of the Airport Authority.

## ARTICLE 5 - MEETINGS OF MEMBERS

Section 1. Regular Meetings. The Members shall meet at such places and at such times as the Chair shall designate. The regular meeting of the Members shall be held on the last Wednesday of the months of July, August, September, October, January, March, April, May and June, and on the first Wednesday of December. The regular meeting shall be held at such time and at such place as the Chair shall designate. Meetings shall be held to a pre-published agenda, and the agenda is to be distributed to all Members no later than two (2) calendar days prior to the monthly meeting. Special exceptions may be taken upon agreement of all Members. These exceptions shall be for, but not limited to, special meetings, changes of dates due to conflicts of Members, holidays or time changes.

Section 2. Special Meetings. Special meetings of the Members may be called by or at the request of the Chair or any two (2) Members of the Board. The special meeting shall be held at such places and at such times as the Chair shall designate.

The Chair may call a special meeting to be held by telephonic or video (with audio) means. Pursuant to Section 143-318.10 of the North Carolina General Statutes, a quorum must all be present in a teleconference or video conference (with audio), so that all present can at a minimum hear each other. Notice of such meeting to the public shall be given as required by statute. Such notice must state the date, time and location of the meeting and the meeting shall be conducted so that all attendees can hear those participating by telephone or video (with audio).

Section 3. Quorum. A majority of the Members fixed by these Bylaws shall constitute a quorum for the transaction of business at any meeting of the Members. A majority of the Board present at any meeting of the Members shall control its decisions. Each Member of the Board shall have one vote. As provided in Section 3 of the Enabling Legislation, the Chair may vote on all matters coming before the Authority or the Executive Committee. If there is no quorum, the Chair may adjourn the meeting or proceed with the hearing of reports from Authority members and/or staff, and other speakers on the agenda, but the Authority may not deliberate, consider or transact any business during such unofficial session as long as a quorum is not present.

Section 4. Conflicts of Interest; Abstentions. The Airport Authority shall not enter into any contract with a third party if a conflict of interest is created due to a Member of the Authority having significant ownership or control of the third party or is an officer or director of the third party. Under current State law, the Authority may not vote to enter into such a contract even if the Member who has the conflict of interest does not participate in the discussion or vote on the proposed contract.

Where there is no conflict of interest present, any Authority Member may abstain from voting on any matter coming before the Authority. Such abstention shall be counted in the minutes of the meeting as a "no" vote. Examples of when an Authority Member might choose to abstain from a vote include but are not limited to the following: Indifference, indecisiveness, or lack of enough information about the matter being discussed.

## ARTICLE 6 - OFFICERS

Section 1. Number. Annually the Board of the Airport Authority shall elect from among its Members a Chair, a Vice Chair, a Secretary and a Treasurer. The offices may not be held by the same person.

Section 2. Election and Term. The Chair shall appoint a Nominations Committee no later than the May meeting of the Authority. The Nominations Committee shall present a slate of proposed officers to the Authority no later than the June meeting of the Authority. Other nominations may be made from the floor without the need for a second from another member. The Officers of the Board shall be elected by the Members annually at the June meeting of the Authority, using either a voice vote or written ballot. If a written ballot is used, each ballot must be signed by the Authority member and given to the Clerk to the Board, so that the minutes will reflect how each Member voted.

The officers shall take office on July 1. If at the June meeting the nominations committee has not yet completed its new slate of officers, the existing officers shall retain their respective offices until the new officers are elected at any regular or special meeting of the Authority.

Section 3. Terms of Office.

(a). Terms of office will be for one (1) year or until a successor is elected and qualified.

(b). Officers may be re-elected to the same office for a maximum of two (2) consecutive terms. Provided, however, that the members of the Authority at any regular or special meeting of the Authority may vote to allow a member of the Authority to retain an office for more than two (2) consecutive terms if no other member will agree to accept the office; the officer in question shall not be allowed to vote and such vote shall be effective for one additional term; if at the end of the third consecutive term no other member will agree to accept the office, the members of the Authority not holding the office in question may again vote to allow the Authority member in question to retain the office for another consecutive term; similar votes may be held for further consecutive terms subsequent to three consecutive terms.

Section 4. Chair. The Chair shall be the principal Executive Officer of the Airport Authority, and subject to the control of the Board of Commissioners, shall supervise and control the management of the Airport Authority in accordance with these Bylaws. The Chair shall, when present, preside at all meetings of the Members. The Chair shall sign, with any other proper Officer any instruments which may be lawfully executed on behalf of the Airport Authority, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be delegated by the Board of Commissioners or Airport Authority Board to some other Officer or agent; and, in general, the Chair shall perform all duties incident to the Office of Chair and such other duties as may be prescribed by the Airport Authority Board or the Board of Commissioners from time to time. Additionally, the Chair shall call and preside over all meetings of the Airport Authority, appoint or remove Members of Committees and maintain general control and decorum in the supervision of the affairs of the Airport Authority. The Chair shall serve as spokesperson for the Authority. No individual member of the Authority, including the Chair, may act as spokesperson for the Authority on an issue that has not been discussed and approved by the Airport Authority Board. As used in these Bylaws, the term "Chair" shall have the same meaning as the term "Chairman" that is used in the Enabling Legislation of the Dare County Airport Authority.

Section 5. Vice Chair. The Vice Chair, unless otherwise determined by the Board, shall in the absence or disability of the Chair, perform the duties and exercise the powers of that office. In addition, the Vice Chair shall perform such other duties and have such other powers as the Board shall prescribe. The Vice Chair shall supervise and maintain the general control of all special or ad hoc committees established by the Board.

Section 6. Secretary. The Secretary shall develop and maintain an accurate record of the acts and proceedings of all meetings of the Members, give all notices if any, required by law and these Bylaws, have general charge of the Airport Authority books and records, sign such instruments as may require the Secretary's signature, and, in general, shall perform all duties incident to the Office of Secretary and such other duties as may be assigned to the Secretary from time to time by the Chair or by the Board. Additionally, the Secretary shall certify and witness signatures of the Chair on all

State and Federal documents and such other documents as may be deemed necessary by the Airport Authority's attorney.

Section 7. Treasurer. The Treasurer shall ensure lawful receipt, deposit and/or disbursement of Airport Authority Funds. The Treasurer shall ensure that full and accurate accounts of the finances of the Airport Authority are kept in books or other approved media specially provided for that purpose; and the Treasurer shall provide the Airport Authority with an analysis of the financial condition of the Dare County Regional Airport at each Regular Meeting of the Airport Authority. The Treasurer shall serve as Financial Officer of the Airport Authority and shall, in general, perform all duties incident to the office of Treasurer and such other duties as may be assigned to the Treasurer from time to time by the Chair or by the Board.

Section 8. Vacancies. If the office of Chair becomes vacant during the year, the Vice Chair shall automatically assume the duties of the Chair. Vacancies of other officers shall be filled by a majority vote of the Board no later than the second regularly scheduled meeting after the vacancy.

Section 9. Appointed Officers.

(a). Budget Officer. A Budget Officer is required by Section 159-9 of the North Carolina General Statutes. The Treasurer of the Authority shall automatically be the Budget Officer. The Budget Officer shall perform all duties required by statute and any other duties that may be assigned to him or her by the Authority.

(b). Finance Officer. A Finance Officer is required by Section 159-24 of the North Carolina General Statutes. The Airport Authority Members shall appoint a Finance Officer to serve until the Airport Authority shall approve a new Finance Officer. The Finance Officer shall perform all duties required by statute and any other duties that may be assigned to him or her by the Authority.

(c). Clerk to the Board. The Airport Authority Members shall appoint a Clerk to the Board to serve until the Airport Authority shall approve a new Clerk to the Board. The Clerk to the Board shall attest the signature of the Chair or Vice Chair on all legal instruments of the Authority requiring same, shall retain and impress the corporate seal of the Authority on all legal instruments of the Authority requiring same, shall take, prepare, and sign the minutes to all Authority meetings attended by the Clerk to the Board, and shall performs such other duties that may be assigned to him or her by the Authority.

## ARTICLE 7 - PARLIAMENTARY PROCEDURE

The guidelines for the Authority governing Parliamentary Law will be the most current edition of Robert's Rules of Order, Newly Revised, by Robert and Evans. The attorney for the Airport Authority (or, if the attorney is not present, any member of the Airport Authority appointed by the Chair), shall serve as Parliamentarian.

## ARTICLE 8 - AIRPORT EMPLOYEES

Section 1. Airport Employees in General. All Airport employees shall be treated as Dare County employees. Airport employees, including the Airport Director, shall be administered under the provisions of the County Personnel Ordinance and shall receive the benefits provided to Dare County employees. All employees shall be afforded the right of Due Process.

### Section 2. Airport Director.

(a). The Airport Director shall be responsible for the general day-to-day operation of the Dare County Regional Airport and shall be responsible for employing all other members of the Airport staff. The Airport Director shall submit to each Airport Authority Member monthly, along with the monthly meeting agenda, a written or oral Airport Director's report. The Airport Director's responsibilities shall be governed by any written job responsibility guidelines of the Airport Authority, which guidelines may be altered or changed from time to time at the Airport Authority's discretion. The Airport Director shall be responsible to report jointly to the Airport Authority and Dare County Board of Commissioners in the administration of Airport Authority rules and regulations, leases and other matters relating to the Airport and in accordance with any organizational chart adopted for the Airport Authority from time to time.

(b). Pursuant to a 1990 Memorandum of Understanding between the Board of Commissioners and the Dare County Airport Authority, the Board of Commissioners agreed to consult with the Airport Authority Board before any personnel action is taken with regard to any Airport Director. Pursuant to said Memorandum of Understanding, the Board of Commissioners agreed to obtain the concurrence of the Airport Authority Board before any action can be taken with regard to the Airport Director's employment.

(c). If the Airport Director resigns, or if the Airport Director is otherwise no longer employed by Dare County, and until such time that either an interim Airport Director or a replacement Airport Director is employed, the duties of the Airport Director shall be administered by the Chair and, in the absence of the Chair, by the Vice Chair), unless the Airport Authority decides to delegate such duties to another person.

Section 3. Joint Committee with the Board of Commissioners. The Airport Authority and the Board of Commissioners shall maintain a standing Joint Committee comprised of two (2) members from the Airport Authority and two (2) members from the Board of Commissioners. This Joint Committee shall:

- (a). Act as a screening committee to interview candidates for the position of Airport Director in the event the position is vacant, and to make recommendations to the Board of Commissioners and to the Airport Authority regarding candidates for the Airport Director position;
- (b). Consider and make recommendations regarding the resolution of any future disagreement regarding the discharge of the Airport Director; and
- (c). Perform such others duties as the Board of Commissioners and the Airport shall jointly designate.

## ARTICLE 9 - ACCOUNTING AND FINANCE

Section 1. Accounting and Finance Procedures. Accounting and finance procedures are to be under the direct supervision of and provided by the Dare County Finance Director and shall follow guidelines as set out by the "Local Government Budget and Fiscal Control Act," as compiled by the North Carolina Institute of Government and as outlined in the Airport Certification Manual (ACM) as required by the Federal Aviation Administration under Federal Air Regulation 139 (FAR 139). Purchase for capital outlay equipment not previously approved in the Fiscal Year operating budget must be approved by the Authority at a regular public meeting.

Line items as set forth in the Fiscal Year Budget are not to be transferred except with the prior approval of the Airport Authority. If an emergency should arise, the Chair and/or the Treasurer and/or the Finance Officer of the Airport Authority is empowered to perform such transfers or to use the monies being held as a reserve fund, provided procedures are followed as directed by the Dare County Finance Director.

### Section 2. Cash Management Policy.

(a). The independent auditor selected by the Authority shall monitor the Authority's compliance with the established cash management plan and the reports of the Finance Officer thereon. The independent auditor shall report all findings and recommendations annually to the Authority as part of the Authority audit.

(b). The cash management policy, as adopted by the Authority and amended from time to time, is hereby incorporated into these Bylaws as if set out word for word. No amendments to the cash management policy shall be required to follow the amendment procedure of these Bylaws.

## ARTICLE 10 - COMMITTEES

Section 1. Required Standing Committees. The Chair shall appoint members to the following required standing committees:

(a). Facilities/Safety Committee: This committee will review current and future facility needs at the Airport as well as safety measures instituted at the Airport, and will make recommendations to the full Board.

(b). Finance and Audit Committee: This committee will assist the Airport Director with the preparation and monitoring of the Airport Authority's budget, the preparation of grant requests; the monitoring of grants, and will make recommendations to the full Board.

(c). Joint Committee: See Article 8, Section 3 of these Bylaws.

(d). Roanoke Island Memorial Gardens Cemetery Committee. This committee will assist the Airport Director with the operation of the Cemetery in accordance with the current Cemetery Rules and Regulations.

Section 2. Other Committees. The Chair may appoint other committees, as needed.

## ARTICLE 11 - PUBLIC ATTENDANCE AT AIRPORT AUTHORITY MEETINGS

Section 1. Public Meetings.

(a). All regular and special meetings of the Airport Authority shall be open to the public.

(b). The Airport Authority will exercise its legal right to discuss in executive session those matters that should be properly and legally considered therein pursuant to North Carolina law.

(c). Individuals will be admitted to the Airport Authority meetings up to the capacity of the meeting place. If deemed advisable by the Chair, the meeting place may be changed to accommodate a larger number of individuals.

(d). Individuals may not take part in the discussion by asking questions or making statements, except upon recognition to do so by the Chair.

(e). Only one person may speak on behalf of any one group at any one meeting of the Airport Authority.

Section 2. Procedure for Public Participation at the Option of the Chair. In order that the Airport Authority may conduct its meetings properly and efficiently, the following rules shall govern public participation:

(a). Depending on the length of the approved agenda and other considerations, the Chair may in the Chair's discretion allow a period of time for public comment and participation. At such time, individuals may address the Airport Authority on items of Airport Authority business, including non-agenda items.

(b). Those individuals desiring to address the Airport Authority must register upon arriving. A form provided at the meeting must be completed by the individual. Registering to speak and the completion of the form does not automatically entitle the individual to address the Airport Authority. The right to comment lies in the discretion of the Chair.

(c). An individual given the right to address the Airport Authority shall be limited to a three (3) minute presentation. A maximum of five (5) individuals may address the Airport Authority once the Chair has opened the floor to public comment.

(d). An individual may make a written petition to the Chair to appear before the Airport Authority. This written petition must be made by 12:00 Noon on the fifth business day preceding the day of the scheduled meeting of the Airport Authority. The Chair will make the decision on whether to approve the petition. Advance information required from individuals requesting to appear before the Airport Authority include:

(1). Name and address of the speaker and identification of any group for whom the speaker is a spokesperson. Only one person may speak on behalf of any one group at any one meeting of the Airport Authority.

(2). The number of people expected if a delegation (in addition to the spokesperson) is expected.

(3). A concise statement describing the nature of the business to be discussed by the individual.

(e). The Chair has the authority to terminate the comments of any individual which are in violation of Airport Authority policy, rules, and/or guidelines applicable to the meeting, or which tend to disrupt the orderly conduct of the meeting.

(f). The Chair may remind individuals who address the Airport Authority that members of the Airport Authority are without authority to act independently as individuals in official matters, and that while questions may be directed to individual Authority members, answers must be deferred pending consideration of the matter by the full Airport Authority.

## ARTICLE 12 - FISCAL YEAR

Unless otherwise ordered by the Airport Authority Board, the fiscal year of the Airport Authority shall be July 1 through June 30.

## ARTICLE 13 - GENERAL PROVISIONS

Section 1. Amendments. Except as otherwise provided herein, these Bylaws may be amended (or repealed and new Bylaws adopted) by the affirmative vote of a majority of the Members then holding office at any regular or special meeting of the Members. Any proposed amendment must be hand delivered, faxed, e-mailed, or mailed to all Members at least fourteen (14) days prior to the meeting when the amendment will be proposed.

The Airport Authority Board shall have no authority to adopt a Bylaw (1) prescribing quorum or voting requirements for action by Members different from those prescribed by the Enabling Legislation; (2) increasing or decreasing the number of Members other than the number prescribed by the Enabling Legislation; or (3) classifying and staggering the election of Members other than as prescribed by the Enabling Legislation.

Section 2. Waiver of Notice. Any notice which may be required to be given by these Bylaws or the Enabling Legislation, as amended, may be waived in writing by the person or persons entitled to such notice, and any such waiver, whether made before or after the time stated therein, shall be equivalent to the giving of such notice.

Section 3. Miscellaneous. Throughout these Bylaws, whenever the context requires or permits, genders shall be interchangeable and the singular numbers shall be deemed to include the plural, and vice versa.

I certify the foregoing to be a true copy of the Bylaws of the Dare County Airport Authority, as adopted at the regular meeting of the Authority on the 31 day of January, 2007.

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Secretary

### AMENDMENT HISTORY:

September 22, 1993:	Initial adoption of Bylaws
April 26, 1995:	Amend Article 6, Sections 2 and 3.
August 23, 1995:	Amend Article 9, Section 2(d)(3).
February 26, 1997:	Amend Article 4, Section 5, Article 5, Sections 2 and 3, and Article 9, Section 2.
December 1, 2004:	Replaced "Chairman" with "Chair" throughout; amend Article 4, Section 1; Article 6, Sections 4, 7, 8 and 9; Article 8, Section 2; Article 10, Section 1; Article 11, Section 2.

January 31, 2007:

Article 2, Section 1; Article 3, Section 1; Article 4, Sections 4 and 10;  
Article 6, Sections 1, 4 and 9; Article 8, Section 2; and Article 11,  
Section 2.

Prepared by: Robert B. Hobbs, Jr., Airport Attorney

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