

RESOLUTION NO. 3791

A RESOLUTION APPROVING NEW BY-LAWS FOR THE MILES CITY AIRPORT BOARD

WHEREAS, the Miles City Airport Board (Board) is organized under the authority of the City of Miles City and under an Agreement for Joint Action between the City of Miles City and the County of Custer;

AND WHEREAS, the Board has recommended the adoption of new by-laws for the governance of the Board, which revise certain terms contained within said Agreement for Joint Action;

AND WHEREAS, the City finds the proposed by-laws to be appropriate to ensure the organized oversight of the operation of the airport, and agrees to revise said Agreement for Joint Action to the extent said by-laws conflict with its provisions;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The By-Laws Of The Miles City Airport Board, as set forth in Exhibit "A", attached hereto and made a part hereof, are hereby approved and adopted by this Council.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said by-laws on behalf of the City of Miles City.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 24TH DAY OF MARCH, 2015.



C. A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

EXHIBIT "A"

BY-LAWS OF THE MILES CITY AIRPORT BOARD

ARTICLE I: NAME

The official name of this organization shall be the Miles City Airport Board, hereinafter referred to as the "Board."

ARTICLE II: AUTHORITY

The Board is organized under the authority of the City of Miles City and under an Agreement for Joint Action between the County of Custer and the City of Miles City, Montana.

ARTICLE III: PURPOSE

The purpose of the Board is to conduct the business, planning, and other affairs of the Miles City Airport which is also known as Frank Wiley Field. The Board shall plan, acquire, establish, develop, construct, improve, maintain, equip, operate, regulate, protect, and police the Miles City Airport ("Frank Wiley Field"). The Board shall conduct such activities as are necessary and appropriate to meet the needs of the public using the Miles City Airport.

ARTICLE IV: MEMBERSHIP OF BOARD

1. The Board shall consist of seven members:
 - a. One member appointed from the Board of County Commissioners (BOCC) hereinafter referred as "BOCC", by the BOCC.
 - b. One member appointed from the City Council by the mayor. The mayor may be the appointment.
 - c. Five members appointed: Two members appointed by County Commissioners. Two members appointed by City Council acting through its Mayor. Each entity is responsible for advertising for their vacancies. One member appointed by County Commission and approved by City Council will be advertised by the County.
2. Terms of Appointment
 - a. All members of the Airport Board shall serve staggered terms of three (3) years.
 - #1 - term ending June, 2016 joint appointed
 - #2 - term ending June, 2015 City appointed
 - #3 - term ending June, 2015 City appointed
 - #4 - term ending June, 2016 County appointed
 - #5 - term ending June, 2016 County appointed
 - b. After advertising for a board vacancy, the applicants will be interviewed by the Airport: Board. The Airport Board will recommend to the appropriate entity: (city or county) their nomination for approval.
 - c. A member of the Board whose term expires may be appointed by the appropriate entity

- d. If a member of the Board resigns before their term expires, a board member will be appointed by the appropriate entity to complete the remainder of the term.
3. Meeting Attendance
 - a. Board members shall make reasonable efforts to attend all meetings.
 - b. The Chairman may request replacement of any member who does not attend three consecutive meetings, except for excused absences.
 - c. Board members shall notify the Chairman of an intended absence from a meeting no less than one business day prior to the day of the meeting to be considered excused. The Chairman may excuse absences for extraordinary circumstances.
 4. Board Members appointed hereunder shall exercise authority only when attending an Airport Board meeting or when directly authorized by written Board action.

ARTICLE V: OFFICERS

1. The Chairman shall exercise the executive authority of the Board. The Chairman may delegate, with the advice of the Board, such executive authority to the Airport Manager as may be required to carry out the business of the Airport.
2. Election of officers will be held annually at the January meeting. The commission shall elect the following officers; a Chairman and a Vice-Chairman.
3. In the absence of the Chairman, the Vice-Chairman shall act in his/her stead.
4. The Board shall appoint an individual to serve as Secretary. The Secretary shall record and publish the minutes of all meetings of the Miles City Airport Board. The Secretary shall record minutes of all Board meetings and maintain such records, including member attendance at meetings, as may be necessary or convenient for the functions of the Board. Copies of all minutes shall be mailed to all members. The official records of the Board are to be kept at City Hall. (Within 10 days after meeting)
5. An Airport Manager shall be appointed by the Board using the recruitment and selection process adopted by the City.

ARTICLE VI: MEETINGS

1. Regular Meeting Dates
 - a. Meetings will be held once a month at 2:00 on the second Monday of the month. Notice of meetings shall be given in conformity with legal requirements. The Chairman may postpone a meeting to a more convenient time or cancel a meeting by notice to the Secretary who shall contact Board members.
 - b. Agendas of the meetings will be published in the Miles City news media (Miles City Star), the Thursday before the Monday meeting. Agenda items for meetings shall go through the Chairman of the Miles City Airport Commission if the Chairman is absent then through the Vice Chairman.
2. Special Meeting Dates

- a. Special meetings may be called by the Chairman or by two members upon written request to the Chairman. The Secretary shall send written notice to all members, starting time and place of such meeting and the topic to be discussed, at least two days in advance of a special meeting. Written notice of a special meeting is not required if the time and place of said meeting has been fixed in a regular meeting, or if all members are present when such special meeting is scheduled. (The agenda process)
3. Quorum: A majority of the Board shall constitute a quorum. A quorum consists of four Members (4).
4. The Chairman shall have the right to make, and second motions and only vote to break a tie.
5. Majority Vote: All decisions requiring the action of the Board will be made by majority vote of attending members. The approval of the annual budget and bylaw changes requires 2/3 majority vote.

ARTICLE VII: AMENDMENTS TO BY-LAWS

These by-laws will be amended jointly by the City Council and the Board of County Commissioners after the Airport Board approval.

We hereby certify the forgoing By-Laws were duly adopted this _____ day of _____, 2015.

Miles City Mayor

County Commissioner Chairman