

RESOLUTION NO. 4011

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;

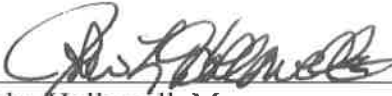
AND WHEREAS, the Board has recommended the adoption of new by-laws for the governance of the Board, which revise certain terms contained within said Agreement for Joint Action;

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 13TH DAY OF DECEMBER, 2016.



John Hollowell, Mayor

ATTEST:



Lorrie Pearce, City Clerk

BYLAWS OF THE MILES CITY AIRPORT COMMISSION

ARTICLE I: NAME

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

ARTICLE II: AUTHORITY

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

ARTICLE III: PURPOSE

The purpose of the Commission is to conduct the business, planning, and other affairs of the Miles City Airport which is also known as Frank Wiley Field. The Commission shall plan, acquire, establish, develop, construct, improve, maintain, equip, operate, regulate, protect, and police the Miles City Airport. The Commission shall conduct and be limited to such activities as per title 67 Chapter 10 Montana Codes.

ARTICLE IV: MEMBERSHIP OF COMMISSION

1. The Commission shall consist of 7 members all of which are current residents of Custer County:
 - a. One member of the City Council appointed by the mayor. The mayor may be the appointment.
 - b. One member of the Board of County Commissioners (BOCC) hereinafter referred as "BOCC", appointed by the BOCC.
 - c. Five members appointed: 2 members appointed by the BOCC. 2 members appointed by the City Council. One member recommended by the Airport Commission and approved by the joint action of Board of County Commissioners (BOCC) and the City Council. Each entity is responsible for advertising for their vacancies.
2. Terms of Appointment:
 - a. All members of the Airport Commission shall serve staggered terms of three (3) years. The Secretary shall keep a record of the member terms.
 - b. After advertising for the commission vacancy, the applicants will be interviewed by the Airport Commission. The Airport Commission will recommend to the appropriate entity (city or county) their nomination for approval.
 - c. A member of the Commission whose term expires may be reappointed by the appropriate entity.
 - d. If a member of the Commission resigns before their term expires, a Commission member will be appointed by the appropriate entity to complete the remainder of the term.

BYLAWS OF THE MILES CITY AIRPORT COMMISSION

3. Meeting Attendance
 - a. Commission Members shall make reasonable efforts to attend all meeting.
 - b. The Chairman may request replacement of any member who does not attend three consecutive meetings, except for excused absences.
 - c. Commission 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. Termination of Commission member
 - a. A Commission Member may be terminated before expiration of their term only on a basis of criminal conviction or consistent unruly or disruptive behavior during board meetings or with Commissioner Members individually.
 - b. Termination requires a minimum of a 60% agreement by secret ballot of the 7 member Commission including a vote from the Chairman. The Chairman will collect the secret ballots and notify the Commission Members of the results at that same meeting. Termination, if approved will be effective immediately.
 - c. If a vacancy results, the appropriate entity will be responsible for the new appointee.

ARTICLE V: OFFICERS

1. The Chairman shall exercise the executive authority of the Commission. The Chairman may delegate, with the advice of the Commission, 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 Commission shall appoint an individual to serve as Secretary. The Secretary shall record and publish the minutes of all meetings of the Miles City Airport Commission. The Secretary shall record member attendance at meetings, as may be necessary or convenient for the functions of the Commission. Copies of all minutes shall be mailed to all members. The official records of the Commission are to be kept at the Airport and filed within 10 days after meetings are adjourned, the secretary shall provide the City Council and BOCC with copies of the minutes when approved and filed.
5. An Airport Manager shall be appointed by the Commission using the recruitment and selection process adopted by the Commission.

BYLAWS OF THE MILES CITY AIRPORT COMMISSION

ARTICLE VI: MEETINGS

1. Regular Meeting Dates

- a. The regularly scheduled meeting date shall be decided by a vote of the Commission.
- b. Meetings will be held once a month at 2:00 pm on the second Monday of the month. Notice of the meeting 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 members.
- c. Agendas of the meetings will be published in the Miles City news media (Miles City Star), the Thursday before the Monday meeting (72 hours).
- d. 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 2 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 Commission shall constitute a quorum. A quorum consists of four (4) members.

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 Commission will be made by majority vote of attending members. The approval of the annual budget and bylaw changes require 2/3 majority vote.

BYLAWS OF THE MILES CITY AIRPORT COMMISSION

ARTICLE VII: AMENDMENTS TO BYLAWS

These bylaws may be amended jointly by the City Council and the Board of County Commissioners after Airport Commission approval.

The Miles City Airport Commission hereby certifies the forgoing Bylaws were duly adopted this 22nd day of November, 2016


Miles City Airport Commission, Chairman

Date: 11-22-16

Approved:


Miles City, Mayor

Date: 11-9-16


Custer County Commissioner, Chairman

Date: 11/9/16