

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

H

1

HOUSE BILL 489

Short Title: Lincolnton-Lincoln County Airport Authority. (Local)

Sponsors: Representative Saine.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government, if favorable, Rules, Calendar, and Operations of the
 House

March 28, 2019

A BILL TO BE ENTITLED

1
2 AN ACT RENAMING THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY
3 AS THE LINCOLNTON-LINCOLN COUNTY REGIONAL AIRPORT AUTHORITY,
4 AUTHORIZING THE AIRPORT AUTHORITY TO APPLY FOR AND ACCEPT
5 GRANTS FROM THE STATE AND FEDERAL GOVERNMENT, AND MAKING
6 OTHER CHANGES TO THE ENACTING LEGISLATION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Chapter 10 of the Session Laws of 1996 Second Extra Session, as
9 amended by Section 1 of S.L. 2016-12 and Section 3 of S.L. 2017-104, reads as rewritten:

10 "Section 1. There is hereby created the "Lincolnton-Lincoln County Regional Airport
11 Authority"(for brevity hereinafter referred to as the "Airport Authority"), which shall be a body
12 both corporate and politic, having the powers and jurisdiction hereinafter enumerated and such
13 other and additional powers as shall be conferred upon it by general law and future acts of the
14 General Assembly.

15 "Sec. 2. The Airport Authority shall consist of five members, four of whom shall be
16 appointed to staggered three-year terms by the Lincoln County Board of Commissioners and one
17 of whom shall be appointed to a staggered three-year term by the Lincolnton City Council. The
18 member appointed by the Lincolnton City Council shall be a qualified voter of the City of
19 Lincolnton. At least one member appointed by the Lincoln County Board of Commissioners shall
20 be a qualified voter of the City of Lincolnton. All four members appointed by the Lincoln County
21 Board of Commissioners shall be qualified voters of the County of Lincoln. Each member shall
22 take and subscribe before the Clerk of Superior Court of Lincoln County an oath of office and
23 file the same with the Lincoln County Board of Commissioners and the Lincolnton City Council.
24 No member of the Airport Authority ~~Board~~ shall serve more than two consecutive term limits.
25 The ~~Chairman-chair~~ of the ~~Board-Airport Authority~~ shall be annually designated by Lincoln
26 County.

27 "Sec. 3. The Airport Authority may adopt suitable bylaws for its management. The members
28 of the Airport Authority shall receive compensation, per diem, or otherwise as the Lincolnton
29 City Council or the Lincoln County Board of Commissioners from time to time determines and
30 shall be paid their actual traveling expenses incurred in transacting the business and at the
31 instance of the Airport Authority.

32 "Sec. 4. (a) The Airport Authority shall constitute a body, both corporate and politic, and
33 shall have the following powers and authority:



1 (1) To purchase, acquire, establish, construct, own, control, lease, equip, improve,
 2 maintain, operate, and regulate airports and landing fields for the use of
 3 airplanes and other aircraft within the limits of the County and for this purpose
 4 to purchase, improve, own, hold, lease, or operate real or personal property.
 5 ~~The Airport Authority may exercise these powers alone or in conjunction with~~
 6 ~~the City of Lincolnton or the County of Lincoln.~~

7 ...
 8 (15) On behalf of Lincoln County and the City of Lincolnton, to apply for federal
 9 and State grants and to accept offers made pursuant to 14 C.F.R. 151.29, et
 10 seq. The Airport Authority may unilaterally accept on behalf of Lincoln
 11 County and the City of Lincolnton any grant that requires a matching
 12 contribution of fifty thousand dollars (\$50,000) or less from the County and
 13 City. In no case shall the Airport Authority agree or commit to provide
 14 matching contributions that exceed one hundred thousand dollars (\$100,000)
 15 in any one fiscal year. The dollar limitations in this subdivision may be
 16 increased upon the express approval of both the Lincoln County Board of
 17 Commissioners and the Lincolnton City Council.

18 ...
 19 "Sec. 8. The Airport Authority shall make an annual report to the Lincoln County Board of
 20 Commissioners and the Lincolnton City Council setting forth in detail the operations and
 21 transactions conducted by it pursuant to this act. The Airport Authority shall not have the power
 22 to pledge the credit of Lincoln County or the City of Lincolnton, or any subdivision thereof, or
 23 to impose any obligation on Lincoln County or the City of Lincolnton, or any of their
 24 subdivisions, ~~except when that power is expressly granted by statute~~ as authorized under
 25 subdivision (15) of subsection (a) of Section 4 of this act.

26 ...
 27 Sec. 14. The Airport Authority shall elect officers from among its members ~~a chair and other~~
 28 ~~officers~~ at its initial meeting and then annually thereafter. A majority of the Airport Authority
 29 shall control its decisions. Each member of the Airport Authority, including the chair, shall have
 30 one vote. The Airport Authority shall meet at the places and times designated by the chair.

31 "Sec. 14.1. The airport operated by the Lincolnton-Lincoln County Regional Airport
 32 Authority shall be hereafter known as the "Lincolnton-Lincoln County Airport."

33 "Sec. 14.2. The airfield of the Lincolnton-Lincoln County Airport shall be hereafter known
 34 as the "David E. Lowe Airfield."

35 "~~Sec. 15. The powers granted to the Airport Authority shall not be effective until the~~
 36 ~~members of the Airport Authority have been appointed by the Lincoln County Board of~~
 37 ~~Commissioners and the Lincolnton City Council, and nothing in this act shall require the Board~~
 38 ~~of Commissioners or City Council to make the initial appointments. It is the intent of this act to~~
 39 ~~enable but not to require the formation of the Lincolnton-Lincoln County Airport Authority.~~

40"

41 **SECTION 2.** This act is effective when it becomes law.