



AMENDED AND RESTATED

CLARE COUNTY AIRPORT FACILITIES ORDINANCE #6

An ordinance to provide for the establishment of the Clare County Airport Board; to provide for the construction, enlargement, improvement, maintenance, operation, and regulation of aeronautical facilities of the HARRISON AIRPORT (also known as the CLARE COUNTY AIRPORT); to provide for coordination and control in dealing with individuals, groups, businesses, or governmental bodies which now or in the future may assist in, or help finance, airport programs and improvements; and to prescribe the powers and duties of said Airport Board.

The People of the County of Clare Enact:

Section 1. This Ordinance is enacted pursuant to the authority of Act 327 of the Public Acts of 1945 as amended and shall be known and may be cited as the "Clare County Airport Facilities Ordinance."

Section 2. As used in this Act:

A. "Airport" means any aeronautical facility owned by the County of Clare.

B. "Fixed Base Operator" means any person, firm, corporation, or association carrying persons or property for hire, or furnishing aeronautical services, supplies or instruction and conducting such business from a particular airport.

C. "Concession" means any non-aeronautical facility or

service required for the convenience of the public using the airport.

D. "Board" means the Clare County Airport Board.

E. "Commissioners" means the Clare County Board of Commissioners.

Section 3. The Clare County Airport Board, consisting of seven members, is hereby created. All members of the Board shall be residents of the County of Clare. Members of the Board shall be appointed by the Clare County Board of Commissioners for terms of four years and until their successors are appointed and qualified, except in the first instance and, in that case, two members shall be appointed for a term of one year; two members for a term of two years; two members for a term of three years; and one member of a term of four years. Vacancies in the Board shall be filled for the unexpired term.

Section 4. The Board shall elect a Chairman and such other officers as it deems necessary to perform its duties. The officers shall be elected at the first meeting of each year and shall serve annually, or until their successors are elected. A majority of the seven members shall constitute a quorum. The Board shall meet at least four times yearly on the call of the Chairman, or by written request of at least three members. All meetings shall be held in compliance with the Open Meetings Act. Members shall receive such per diem compensation as shall be from time to time established by the Clare County Board of

Commissioners, in addition to their actual and necessary expenses.

Section 5. The Board of Commissioners may remove any member appointed by a 3/4 vote of its full membership.

Section 6. The Board shall formulate definitions, rules, and regulations for the construction, enlargement, improvement, maintenance, equipment and operation and regulation of all public aeronautical facilities owned by the County of Clare.

Section 7. In addition to the general powers in this ordinance conferred, and without limitation thereof, the board is hereby authorized;

A. To control and operate all public aeronautical facilities owned by the County of Clare.

B. To employ a regular airport manager for airports, landing fields, or other aeronautical facilities under its control.

C. To adopt and amend all needful rules and regulations for the management and use of any property under the Board's control.

D. To appoint airport guards or police.

E. To fix penalties for the violations of rules other than criminal penalties and to enforce such penalties.

F. To adopt and enact rules and regulations designed to safeguard the public upon and beyond the limits of all aeronautical facilities within the Board's control.

G. With the consent of the Board of Commissioners, to lease for a term of years, donate, or sell such airports, landing fields, or other aeronautical facilities or building and structure relating thereto, or real property acquired or set apart for such purposes, to any person or persons, any other political subdivision of the State Government or the National Government or any department of any of them, either exclusively or in common with other, for operation and public use, and to confer the privileges of concessions or supplying upon this airport goods, commodities, things, services and facilities, and to enter into leases, contracts, agreements, or grants or privileges of concession with any person or persons or any other political subdivision or the State or the State Government or the National Government or any department of any of them for the operation, use or occupancy, either exclusively or in common with other, of all or any per of the airport's landing facilities or other aeronautical facilities, including any buildings and structures thereon or related thereto under its control.

H. With the consent of the Board of Commissioners, to sell, donate or lease any property, real or personal acquired for aeronautical purposes.

I. With the consent of the Board of Commissioners, to acquire real and personal property for aeronautical purposes.

J. With the consent of the Board of Commissioners, to determine the charges, revenues, or fees for the use of any properties under control of the Board and the charges for any

service or accommodations and the terms and conditions under which such property may be used.

K. To coordinate and control policies, practices, and activates between the Airport Board and individuals, groups, businesses or governmental bodies which now or in the future may assist in, or help finance, airport programs and improvements.

L. To apply for, and to take, short of committing County funds, all necessary or helpful steps to implement the receipt of any state, federal, or private monies or assistance available to the airport. All final grants, contracts or assistance and monies involving the commitment of County funds must be approved by sperate resolution of the Board of Commissioners, and signed by the Board of Commissioners.

M. With the consent of the Board of Commissioners, to enter into agreements for the operation and supervision of other publicly owned airports within Clare County, which agreements must be signed by both the Airport Board and the Board of Commissioners.

Section 8. The Board shall annually, on or before the 15th day of August of each year, formulate a preliminary budget for the operation of aeronautical facilities under the control of the Board, and shall present said preliminary budget to the Board of Commissioners annually on the date set forth above. If necessary in any year, the Board shall, on or before the 30th day of September of such year, formulate a revision of the budget for the operation of aeronautical facilities under the control of the

Board, and shall present a revised budget by the date set forth above. The budget shall meet all requirements of the Board of Commissioners as it may impose under the Uniform Budgeting and Accounting Act or otherwise in the exercise of its discretion. The Board may only expend funds in the manner and, as authorized in the Board of Commissioner approved budget.

Section 9. Subject to Board of Commissioner approval of all Master Plans, the Board shall be responsible for the orderly planning and property development of aeronautical facilities owned by Clare County and may seek such assistance and aid as may be available from any State or Federal agency.

Section 10. All fees and income received by the Board from any source, including any appropriations made by the Board of Commissioners to the Board, shall be considered County money and shall be retained in accounts by the County Treasurer as the Board of Commissioners may direct. Said funds may be disbursed by the County Treasurer consistent with procedures adopted by the Board of Commissioners.

Section 11. No member of the Clare County Board of Commissioners shall serve as a member on the Clare County Aeronautical Facilities Board.

Section 12. The Board shall make annual reports to the County Board of Commissioners concerning the activities of the Airport Board in such format as the Board of Commissioner shall from time to time determine, which report should reference

proposed activities and plans pursuant to the Airport Master Plan.

Section 13. There shall be an annual audit of the funds of said Airport Board in the manner authorized by the Board of Commissioners. The audit may be part of the general county audit.

Section 14. If authorized by and funded within the budget approved by the Commissioners, the Board may employ full or part time employees who shall be considered employees of the County. Said employees shall be eligible for the benefits authorized and determined for County employees by the County Board of Commissioners. The Board shall have sole responsibility for all questions of hiring, firing and discipline. The Board shall also determine compensation to be paid, up to the amount authorized in the budget approved by the Commissioners. Any employee hired for the operation and supervision or other publicly owned airports within Clare County operated by the Board pursuant to a written agreement with the entity owning that airport shall be considered employees of that entity, the compensation for whom shall be provided for by that entity pursuant to that written agreement. Hire, fire and discipline decisions may be made as determined and specified in that agreement for said individuals.

Section 15. The Board shall not have any borrowing or bonding power.

Section 16. Aeronautical facilities of the County of Clare shall be operated by the Board pursuant to and in



