

House Bill 1223 (AS PASSED HOUSE AND SENATE)

By: Representatives Watson of the 172nd and Campbell of the 171st

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to establish an airport authority for Colquitt County, approved
 2 March 4, 1953 (Ga. L. 1953 Jan.-Feb. Sess., p. 3035), as amended, particularly by any Act
 3 approved April 28, 1969 (Ga. L. 1969, p. 3798), so as to modify provisions regarding the
 4 qualifications, selection, terms, powers, officers, and duties of members; to provide for
 5 meetings; to provide vacancies; to provide for conflicts of interest; to provide for related
 6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to establish an airport authority for Colquitt County, approved March 4, 1953 (Ga.
 10 L. 1953 Jan.-Feb. Sess., p. 3035), as amended, particularly by any Act approved
 11 April 28, 1969 (Ga. L. 1969, p. 3798), is amended by revising Section 2 as follows:

12 "SECTION 2.

13 (a) The authority shall consist of nine members, with two members to be appointed by a
 14 majority vote of the Board of Commissioners of Colquitt County, hereinafter 'county
 15 appointees,' one of whom may be a member of such governing authority; two members to
 16 be appointed by a majority vote of the mayor and council of the City of Moultrie,
 17 hereinafter the 'city appointees,' one of whom may be a member of such governing
 18 authority; and the remaining five members, hereinafter the 'authority appointees,' to be
 19 appointed by majority vote of the county appointees, the city appointees, and the sitting
 20 authority appointees. In selecting appointees, preference should be given to candidates
 21 with experience in or knowledge of aviation issues. The county administrator of Colquitt
 22 County and the city manager of the City of Moultrie shall be nonvoting, ex officio
 23 members of the authority. The governing authorities and the authority board existing as
 24 of the effective date of this Act shall appoint the initial members selected hereunder whose

25 terms shall commence on the first day of the month following the month in which this Act
26 is approved. Such members, hereinafter, shall be known as the 'initial members.'

27 (b) To be eligible for membership on the authority, an individual shall be 21 years of age,
28 shall have been a resident of Colquitt County for at least two years, and shall reside in
29 Colquitt County during his or her membership.

30 (c) The terms of the membership of the authority members shall be as follows:

31 (1) One of the initial county appointees, one of the initial city appointees, and two of the
32 initial authority appointees shall serve a term to expire June 30, 2021. One of the initial
33 county appointees, one of the initial city appointees and two of the initial authority
34 appointees shall serve a term to expire June 30, 2022. One of the initial authority
35 appointees shall serve a term to expire June 30, 2023. As the initial members' terms
36 expire, thereafter all members shall each serve a term of three years;

37 (2) Successors to county appointees shall be appointed by a majority vote of the Board
38 of Commissioners of Colquitt County;

39 (3) Successors to city appointees shall be appointed by a majority vote of the mayor and
40 council of the City of Moultrie; and

41 (4) Successors to authority appointees shall be appointed by majority vote of the
42 membership of the authority as it exists prior to the respective expired term. Members
43 may succeed themselves in office.

44 (d) The members of the authority shall enter upon their duties immediately upon their
45 appointment.

46 (e) The office of any member of the authority shall be declared vacant upon a
47 determination by a majority of the members of the authority that such authority member
48 has been, while in office, arrested for or convicted of a felony, a misdemeanor of a high
49 and aggravated nature, or a crime involving moral turpitude; or has moved such member's
50 residence from Colquitt County. The authority shall be authorized to remove from office
51 any member of the authority by a two-thirds' majority vote in the event that such member
52 of the authority is found to be guilty of misfeasance or malfeasance in office, is found to
53 have failed to attend three or more successive regular meetings of the authority without a
54 reasonable excuse approved by a resolution adopted by the authority, or who is found to
55 have engaged in actions or activities which are detrimental to the carrying out of the duties
56 and obligations of the authority.

57 (f) Any vacancy on the authority shall be filled within 60 days through appointment by a
58 majority vote of the body that had appointed the member whose resignation, removal, or
59 ineligibility resulted in such vacancy. The individual so appointed shall serve for the
60 remainder of the unexpired term.

61 (g) Immediately upon appointment of the initial members, such members shall elect, as
62 provided in this Act, one of its members as chairperson, vice chairperson, secretary, and
63 treasurer. Such officers shall serve a term to expire on June 30 of the following year. The
64 chairperson shall have such powers and duties as granted from time to time by resolution
65 of the authority. When the vice chairperson is acting on behalf of the chairperson, the vice
66 chairperson shall have the same duties and powers of the chairperson.

67 (h) The authority shall meet at least once quarterly in July, October, January, and June for
68 the transaction of business. The chairperson may convene meetings of the authority. If the
69 chairperson is unable or fails to call a meeting, upon request of an authority member, the
70 authority may convene a meeting upon call by a majority of its members.

71 (i) A majority of the members of the authority shall constitute a quorum, but no action may
72 be taken by the members of the authority without the affirmative vote of a majority of the
73 full membership of the authority. A member may participate in meetings by teleconference
74 as provided in Chapter 14 of Title 50 of the O.C.G.A. No vacancy on the authority shall
75 impair the right of the quorum to exercise all the rights and perform all the duties of the
76 authority.

77 (j) The authority shall make bylaws and other rules and regulations for its own
78 governance, which may include the use of Robert's Rules of Order and may amend such
79 rules and regulations by a majority vote of the authority. The authority may delegate to one
80 or more of its officers, agents, or employees such powers and duties as may be deemed
81 necessary and proper.

82 (k) The members of the authority shall receive no compensation for their services but shall
83 be reimbursed from any available funds for their actual and necessary expenses incurred
84 in the performance of their duties.

85 (l) No member of the authority shall have, directly or indirectly, any financial interest,
86 profit, or benefit in any contract, work, or business of the authority, nor in the sale, lease,
87 or purchase of any property to or from the authority unless:

88 (1) Any interest, profit, or benefit by such member is disclosed in advance to the other
89 members of the authority and is recorded in the minutes of the authority;

90 (2) Such member having any such interest, profit, or benefit shall not participate in
91 discussion or vote during that portion of an authority meeting when such contract, work,
92 business, sale, lease, or purchase is being discussed; and

93 (3) Such member having such interest, profit, or benefit does not participate in any
94 decision of the authority relating to such matter.

95 As used in this section, the term 'interest, profit, or benefit' means any interest which
96 reasonably may be expected to result in a direct financial benefit to such member as
97 determined by the authority, which determination shall be final and not subject to review.

98 (m) All meetings of the authority shall be open to the public to the extent provided in
99 Chapter 14 of Title 50 of the O.C.G.A."

100

SECTION 2.

101 All laws and parts of laws in conflict with this Act are repealed.