ORDINANCE 00-10

BE IT ENACTED BY THE CITY OF HIGHLAND, SHARP COUNTY, STATE OF ARKANSAS AN ORDINANCE TO BE ENTITLED;

AN ORDINANCE AUTHORISING THE CITY OF HIGHLAND TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITIES OF ASH FLAT AND CHEROKEE VILLAGE, AND HARDY, AND SHARP COUNTY, ARKANSAS TO CREATE AND MANAGE THE SHARP COUNTY REGIONAL AIRPORT AUTHORITY.

WHEREAS, The cities of Ash Flat, Cherokee Village, Hardy, Highland and Sharp County, Arkansas all agree that it would be mutually beneficial to form, by interlocal agreement, the Sharp County Regional Airport Authority.

WHEREAS, The operation and management of a regional airport is a large expenditure for the county and cities acting individually.

WHEREAS, sound business practice dictates that regional management would be less expensive.

WHEREAS, Arkansas law provides for such interlocal agreement in Arkansas Code Annotated ^25-20-101, and requires approval of said agreement by the Attorney General, State of Arkansas, which has been accomplished.

THEREFORE, be it enacted by the City of Highland, Arkansas as follows:

SECTION 1. That the cities of Ash Flat, Cherokee Village, Hardy, Highland, and Sharp County, Arkansas, all agree that it would be mutually beneficial to form, by interlocal agreement, the Sharp County Regional Airport Authority.

SECTION 11. That the operation and management of a regional airport is a large expenditure for the county and cities acting individually and sound business practice dictates that regional management would be less expensive.

SECTION 111. That Arkansas law provides for such interlocal agreement in Arkansas Code Annotated ^ 25-20-101, and requires approval of said agreement by the Attorney General, State of Arkansas, which has been accomplished.

SECTION 1V. That the Mayor of the City of Highland shall have authority to enter into the interlocal agreement upon such terms and conditions set forth by the Highland City Council, which are mutually agreeable to the parties and to sign such agreement and other documents legally binding Highland, Arkansas to said interlocal agreement.

SECTION V. That the City of Highland will be responsible to contribute the amount of five thousand and no hundredths dollars ($5,000.00) annually. No additional monies may be requested from the City of Highland, Arkansas for a ten (10) year period.

SCTION V1. That the Authority shall be governed by a ten-member board of commissioners as set out in the attached articles with the initial terms being as follows:

Ash Flat, two commissioners, Cherokee Village, two commissioners, Hardy, two commissioners, Highland, two commissioners, and Sharp County, two commissioners to be appointed upon staggered terms as set out in the attached articles. That at least one commissioner shall be experienced in aviation, holding some type of aeronautical license and rating.

SECTION V11. That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of the ordinance which can be given effect with the in invalid provisions or applications, and to this end, the provisions of this ordinance are declared to be severable.

SECTION V111. That an emergency is hereby declared to exist and this ordinance shall be in full force and shall take effect upon passage and publication.

PASSED AND APPROVED BY THE HIGHLAND CITY COUNCIL.

DATE: July 11, 2000

APPROVED: Bob Vance
Bob Vance, Mayor

ATTEST: Carol Frolow
Carol Frolow, Clerk / Treasurer

CITY OF HIGHLAND
HIGHLAND, ARKANSAS

ORDINANCE 00-10

BE IT ENACTED BY THE CITY OF HIGHLAND, SHARP COUNTY, STATE OF ARKANSAS AN ORDINANCE TO BE ENTITLED;

AN ORDINANCE AUTHORIZING THE CITY OF HIGHLAND TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITIES OF ASH FLAT AND CHEROKEE VILLAGE, AND HARDY, AND SHARP COUNTY, ARKANSAS TO CREATE AND MANAGE THE SHARP COUNTY REGIONAL AIRPORT AUTHORITY.

WHEREAS, the cities of Ash Flat, Cherokee Village, Hardy, Highland and Sharp County, Arkansas all agree that it would be mutually beneficial to form, by interlocal agreement, the Sharp County Regional Airport Authority.

WHEREAS, the operation and management of a regional airport is a large expenditure for the county and cities acting individually.

WHEREAS, sound business practice dictates that regional management would be less expensive.

WHEREAS, Arkansas law provides for such interlocal agreement in Arkansas Code Annotated ^25-20-101, and requires approval of said agreement by the Attorney General, State of Arkansas, which has been accomplished.

THEREFORE, be it enacted by the City of Highland, Arkansas as follows:

SECTION I. That the cities of Ash Flat, Cherokee Village, Hardy, Highland, and Sharp County, Arkansas, all agree that it would be mutually beneficial to form, by interlocal agreement, the Sharp County Regional Airport Authority.

SECTION II. That the operation and management of a regional airport is a large expenditure for the county and cities acting individually and sound business practice dictates that regional management would be less expensive.

SECTION III. That Arkansas law provides for such interlocal agreement in Arkansas Code Annotated ^25-20-101, and requires approval of said agreement by the Attorney General, State of Arkansas, which has been accomplished.

SECTION IV. That the Mayor of the City of Highland shall have authority to enter into the interlocal agreement upon such terms and conditions set forth by the Highland City Council, which are mutually agreeable to the parties and to sign such agreement and other documents legally binding Highland, Arkansas to said interlocal agreement.

SECTION V. That the City of Highland will be responsible to contribute the amount of five thousand and no hundredths of dollars ($5,000.00) annually. No additional monies may be requested from the City of Highland, Arkansas for a ten (10) year period.

SECTION VI. That the Authority shall be governed by a ten-member board of commissioners as set out in the attached articles with the initial terms being as follows:

Ash Flat, two commissioners, Cherokee Village, two commissioners, Hardy, two commissioners, Highland, two commissioners, and Sharp County, two commissioners to be appointed upon staggered terms as set out in the attached articles. That at least one commissioner shall be experienced in aviation, holding some type of aeronautical license and rating.

SECTION VII. That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of the ordinance which can be given effect with the invalid provisions or applications, and to this end, the provisions of this ordinance are declared to be severable.

SECTION VIII. That an emergency is hereby declared to exist and this ordinance shall be in full force and shall take effect upon passage and publication.

PASSED AND APPROVED BY THE HIGHLAND CITY COUNCIL

DATE: July 11, 2000
APPROVED: Bob Vance, Mayor
ATTEST: Carol Frolow, Clerk/Treasurer

(OVER)

AREAWIDE MEDIA

HIGHWAY 62 EAST
P.O. BOX 248
SALEM, ARKANSAS 72576
870-895-3207
FAX: 870-895-4277

AFFIDAVIT☐ PROOF OF PUBLICATION☐

TO City of Highland

DATE December 7, 2000

I, Janie Flynn do solemnly swear that I am General Manager of The News, and that the advertisement charged for in the attached invoice was published in said publication as follows:

1st insertion 7th day of Dec. 20 00
2nd insertion _____ day of _____ 20 _____
3rd insertion _____ day of _____ 20 _____
4th insertion _____ day of _____ 20 _____
5th insertion _____ day of _____ 20 _____

The cost of this publication is computed according to established rates and/or state law, whichever is applicable.

TOTAL PRICE $ 78.00

Janie Flynn
General Manager

Subscribed and sworn before me this 7th day of December, 20 00

NOTARY PUBLIC
STATE OF ARKANSAS
County of Fulton
TINA M. SANDERS
My Appointment Expires August 1, 2007

Tina M. Sanders
Notary Public

ARTICLES

OF

SHARP COUNTY REGIONAL AIRPORT AUTHORITY

We the undersigned officials, acting on behalf of the public entities of the City of Ash Flat, City of Hardy, City of Cherokee Village, City of Highland and Sharp County, Arkansas, pursuant to the Arkansas Regional Airport Authority Act as set out in ACA 14-362-102, do hereby adopt the following articles of organization.

FIRST: The name of the authority shall be Sharp County Regional Airport Authority

SECOND: The purpose of the authority is to acquire, equip, construct, maintain, and operate a regional airport or landing field and appurtenant facilities so located to best serve the region in which they are located. Each authority in which the state is a participant is further authorized and empowered to acquire, equip, construct, maintain, and operate industrial, warehouse, distribution and related types of facilities, including education, training, office and support facilities, located at a major airport facility for the purpose of securing and developing industry within the state.

THIRD: The board of commissioners shall be ten and shall be governed by the interlocal agreement between the entities herein. However, each of the participating governmental units shall be entitled to appoint at least two members to the board. Appointments shall be made by the mayor of each participating municipality and the county judge of each participating county.

The members of the authority shall have staggered terms, as provided in the agreement establishing the authority, as follows: two members for six-year terms; two members for four-year terms; two members for three-year terms; and two members for two-year terms. Therafter, all appointments shall be for six-year terms.

All members of the board appointed by the participating municipalities and counties shall be bona fide residents and qualified electors of the county or municipality which the members represent.

If any member of an authority dies, resigns, is removed, or for any other reason causes to be a member of the authority, the mayor or the county judge, as appropriate to the governmental unit which the member represented, shall appoint another person to fill the unexpired portion of the term of the member.

A member of the authority once qualified shall not be removed during his appointment except for cause by the mayor or the county judge, as appropriate, which appointed him, or upon such other conditions as shall be set forth in the agreement establishing the authority.

FOURTH: Powers of the authority shall be governed by the authority as set out in ACA \ 14-362-109 which is incorporated by reference herein as though set out word for word.

FIFTH: That the organization of this authority shall be approved by the public entities by appropriate ordinance and upon entering into an appropriate interlocal agreement as set out in ACA \ 25-20-101.

SIXTH: The duration of this regional airport authority shall be perpetual.

WITNESS our hands and seals this 29th **day of** January, ~~1999~~ 2002, **hereby**

type of aeronautical license and rating.

(6) That in the event this agreement shall be terminated by mutual agreement or default by any of the entities hereto, then, in that event, the remaining assets and property belonging to the Sharp County Regional Airport Authority shall be divided by refunding the contributions made by a particular entity for the first ten years with the balance, if any, to be divided equally. After the expiration of ten years and upon termination or default for any reason, then the assets shall be divided equally.

IN WITNESS WHEREOF the parties have set their hands and seals this 29th day of January, ~~1999~~ 2002

Gary P. Martin
MAYOR OF THE CITY OF ASH FLAT

Charlotte Goodner
Attest: Secretary or Recorder

MAYOR OF THE CITY OF HARDY

Attest: Secretary or Recorder

Marjorie A Rogers
MAYOR OF CHEROKEE VILLAGE

Jason T Maynard
Attest: Secretary or Recorder

David Shackelford 1-29-02
MAYOR OF HIGHLAND

Carol Fenlon 1-30-02
Attest: Secretary or Recorder

CITY OF HIGHLAND HIGHLAND, ARKANSAS

SHARP COUNTY JUDGE

Julie Solomon, D.C.
Attest: Clerk or Recorder

APPROVED:

INTERLOCAL AGREEMENT

This Interlocal Agreement entered into this 29th **day of** January **,** ~~1999~~ 2002**,** **between the City of Ash Flat, Arkansas, the City of Hardy, Arkansas, the City of Cherokee Village, Arkansas, the City of Highland, Arkansas, and Sharp County, Arkansas .**

WITNESSETH:

(1) That the parties agree that the purpose of this agreement is to enable them to cooperate in the management of the Sharp County Regional Airport Authority .

(2) That the duration of the agreement shall be perpetual.

(3) That the organization of the legal entity known as the Sharp County Regional Airport Authority shall be governed by certain articles of organization which are attached hereto as Exhbit "A" and incorporated herein by reference.

(4) That the manner of financing this joint/cooperative undertaking will be on an equal basis with each entity being responsible for one-fifth of the cost of operation, overhead and other related expenses which are budgeted. That a budget will be developed annually for the operation and maintenance of the Sharp County Regional Airport Authority by the Board of Commissioners.

(5) That the authority shall be governed by an ten member board of commissioners as set out in the attached articles with the initial terms being as follows: Ash Flat, two commissioners; Hardy, two commissioners; Cherokee Village, two commissioners; Highland, two commissioners; and Sharp County,two commissioners; to be electedupon staggered terms as set out in the attached articles. That at least one commissioner shall be fully experienced in aviation, holding some

type of aeronautical license and rating.

(6) That in the event this agreement shall be terminated by mutual agreement or default by any of the entities hereto, then, in that event, the remaining assets and property belonging to the Sharp County Regional Airport Authority shall be divided by refunding the contributions made by a particular entity for the first ten years with the balance, if any, to be divided equally. After the expiration of ten years and upon termination or default for any reason, then the assets shall be divided equally.

IN WITNESS WHEREOF the parties have set their hands and seals this 29th day of January, ~~1999~~ 2002

Gary P. Martin
MAYOR OF THE CITY OF ASH FLAT

Charlotte Goodwin
Attest: Secretary or Recorder

MAYOR OF THE CITY OF HARDY

Attest: Secretary or Recorder

Marjorie A Rogers
MAYOR OF CHEROKEE VILLAGE

Jason E Maynard
Attest: Secretary or Recorder

David Shackelford 1-29-02
MAYOR OF HIGHLAND

Carol Furlow 1-30-02
Attest: Secretary or Recorder

CITY OF HIGHLAND HIGHLAND, ARKANSAS

SHARP COUNTY JUDGE

Julie Solomon, D.C.
Attest: Clerk or Recorder

APPROVED:

City of Highland

1662 Hwy 62/412
Highland (Hardy) AR 72542
(870) 856-6199

January 22, 2002

To the Mayors of: City of Ash Flat
Hardy
Cherokee Village and
Judge of Sharp County Arkansas

With reference to the interlocal agreement for the organization known as the Sharp County Regional Airport Authority; be it known that the original transcript of said agreement has been misplaced: therefore, a new agreement must be signed at this time for the Sharp County Regional Airport Authority by the above mentioned Cities and County for legalization.

David Shackelford, Mayor City of Highland

Carol Frolow, CCRT, City of Highland

FILE COPY