

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 489  
Mar 27, 2019  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30207-LM-85

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

Sponsors: Representative Saine.

Referred to:

1 A BILL TO BE ENTITLED  
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:

- 34 (1) To purchase, acquire, establish, construct, own, control, lease, equip, improve,  
35 maintain, operate, and regulate airports and landing fields for the use of  
36 airplanes and other aircraft within the limits of the County and for this purpose



1 to purchase, improve, own, hold, lease, or operate real or personal property.  
2 ~~The Airport Authority may exercise these powers alone or in conjunction with~~  
3 ~~the City of Lincolnton or the County of Lincoln.~~

4 ...  
5 (15) On behalf of Lincoln County and the City of Lincolnton, to apply for federal  
6 and State grants and to accept offers made pursuant to 14 C.F.R. 151.29, et  
7 seq. The Airport Authority may unilaterally accept on behalf of Lincoln  
8 County and the City of Lincolnton any grant that requires a matching  
9 contribution of fifty thousand dollars (\$50,000) or less from the County and  
10 City. In no case shall the Airport Authority agree or commit to provide  
11 matching contributions that exceed one hundred thousand dollars (\$100,000)  
12 in any one fiscal year. The dollar limitations in this subdivision may be  
13 increased upon the express approval of both the Lincoln County Board of  
14 Commissioners and the Lincolnton City Council.

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

23 ...  
24 Sec. 14. The Airport Authority shall elect officers from among its members ~~a chair and other~~  
25 ~~officers~~ at its initial meeting and then annually thereafter. A majority of the Airport Authority  
26 shall control its decisions. Each member of the Airport Authority, including the chair, shall have  
27 one vote. The Airport Authority shall meet at the places and times designated by the chair.

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

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

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

37 ...."

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