

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 409

An Act to amend and reenact § 3, as amended, of Chapter 94 of the Acts of Assembly of 1980, relating to the Dinwiddie Airport and Industrial Authority; residency requirements.

[H 1132]

Approved March 23, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 3, as amended, of Chapter 94 of the Acts of Assembly of 1980 is amended and reenacted as follows:

§ 3. Dinwiddie Airport and Industrial Authority.

There is hereby created and constituted a body politic and corporate and a political subdivision of the Commonwealth to be known as the "Dinwiddie Airport and Industrial Authority." The exercise by the Authority of the powers conferred by this act in the construction, operation and maintenance of the airport or in the promotion of industry, trade or commerce authorized by this act shall be deemed and held to be the performance of an essential governmental function.

The Authority shall consist of ~~six members all of whom shall be appointed by their respective governing bodies in the city of Petersburg and the county of Dinwiddie as hereinafter provided; all of whom shall be residents of such political subdivisions at the time of their appointment and during their tenure. Two of the members of the Authority first appointed shall continue in office for terms expiring on January 31, 1982, one from the city and the other from the county; two for terms expiring on January 31, 1983, one from the city and the other from the county; and two for terms expiring on January 31, 1984, one from the city and the other from the county. On and after July 1, 1986, the Authority shall consist of seven members, only at least four of whom shall be residents of the County of Dinwiddie and at least one of whom shall be a resident of the City of Petersburg. Each of the six members in office on July 1, 1986, shall remain in office; and, effective on that date, an additional member, who shall be a resident of the County of Dinwiddie, shall be appointed by the governing body of the County of Dinwiddie for a term ending January 31, 1987. All appointments subsequent to July 1, 1986, shall be made by the governing body of the County of Dinwiddie. Members of the Authority shall continue to serve until their successors shall be duly appointed and have qualified. The successor of any member shall be appointed for a term of three years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term, but may thereafter be appointed and reappointed for a full term. Any member of the Authority shall be eligible for reappointment without limitation on the number of terms served. Members of the Authority shall be subject to removal from office in like manner as are Commonwealth, county, town and district officers under the provisions of § 24.1-79.1 § 24.2-230 et seq. of the Code of Virginia. Each member of the Authority shall, before entering upon the discharge of the duties of his office, take and subscribe the oath prescribed in § 49-1 of the Code of Virginia. Any appointee who shall cease to reside within the city or county from which he was appointed shall thereupon be disqualified from holding office as a member of the Authority the County of Dinwiddie may be removed from office at the discretion of the governing body of the County of Dinwiddie.~~

The Authority shall annually elect one of its members as chairman and another as vice-chairman and shall also elect annually a secretary-treasurer, who may or may not be a member of the Authority. The secretary-treasurer shall keep a record of the proceedings of the Authority and shall be custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He shall have authority to cause copies to be made of all minutes and other records and documents of the Authority and to give certificates under the official seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely upon such certificates.

Four members of the Authority shall constitute a quorum and the affirmative vote of four members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. The Authority shall keep suitable records of all its financial transactions and shall have the same audited annually. Copies of such audit shall be furnished the governing body of the County of Dinwiddie and shall be open to public inspection.

Before the issuance of any revenue bonds under the provisions of this act and at any other time the Authority may direct, the secretary-treasurer of the Authority shall execute a surety bond in the penal sum of ~~fifty thousand dollars~~ \$50,000, such surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the Commonwealth as surety and to be approved by the Attorney General and filed in the office of the

Secretary of the Commonwealth.

The members of the Authority shall be entitled to reimbursement for their expenses incurred in attendance upon the meetings of the Authority or while otherwise engaged in the discharge of their duties. Each member shall also be entitled to the sum of ~~fifty dollars~~ \$50 per day for each day or portion thereof during which he is engaged in the performance of his duties, with the maximum payable to any one member in any one calendar year of ~~fifteen hundred dollars~~ \$1,500.

The members of the Authority shall not be personally liable for any act done or action taken in their capacities as members of the Authority, nor shall they be personally liable for any bond, note or other evidence of indebtedness issued by the Authority.