

# Bylaw No. 404-18

## A BYLAW IN THE TOWN OF PONOKA IN THE PROVINCE OF ALBERTA TO ESTABLISH THE PONOKA INDUSTRIAL AIRPORT DEVELOPMENT BOARD

**WHEREAS** pursuant to the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, as amended or replaced from time to time, Council may pass a bylaw respecting services provided by or on behalf of the municipality.

**AND WHEREAS** pursuant to the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, as amended or replaced from time to time, Council may pass a bylaw for the establishment and functions of Council Committees and other bodies;

**AND WHEREAS** Council deems it necessary to pass a bylaw establishing a municipal airport development Board;

**NOW THEREFORE** the Council of the Town of Ponoka, pursuant to the authority conferred upon it by the laws of the Province of Alberta, enacts as follows:

### Short Title

This Bylaw shall be called the "Ponoka Industrial Airport Development Board Bylaw".

### Definitions and Interpretations

In this bylaw, unless the context otherwise requires:

'Airport' shall mean the Ponoka Industrial Airport.

'Area Structure Plan' shall be conveyed as ASP.

'Board' shall mean the Ponoka Industrial Airport Development Board.

'Council' shall mean the Council of the Town of Ponoka.

'Land Use Bylaw' shall be conveyed as LUB.

'Member' shall mean a member of the Board.

'Town' shall mean the Town of Ponoka.

'Airport Manager' shall mean the Council and Board appointed Manager with duties and responsibilities as outlined in the Town's Duties and Responsibilities

### Composition of the Board

The Board will be comprised of seven (7) voting members and two (2) non-voting members.

1. The 7 voting members will include:
  - One (1) council member from the Town of Ponoka
  - One (1) council member from Ponoka County
  - One (1) member from the Ponoka Economic Development Board
  - One (1) member from the Ponoka Flying Club
  - One (1) member from the airport tenants
  - Two (2) members from the general public.

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2. In collaboration with Town of Ponoka administration, the Board will approve:
  - One (1) non-voting Town of Ponoka Airport Manager.
  - One (1) non-voting representative to assist with Economic Development.
3. All members of the Board are voluntary positions (other than council members), however each potential volunteer must provide a formal letter of membership request and presentation to the Board before a formal review and vote by the membership occurs.
4. The Board must provide to Town Administration a conflict of interest policy/guidelines signed by each Board member and to be reviewed and updated on an annual basis.

### Term of Office

5. Appointment of Board members will be by Council resolution specifying the term of office.
6. The Board cannot replace or vote in any more than three (3) new members per year. Terms of each appointment will be for a 3 year term. Each year there is a requirement to replace or reaffirm at least one member on the Board.

Members shall be voted in for a term of up to 3 years, as follows:

- a. 2 appointees for three years
- b. 2 appointees for two years
- c. 3 appointees for one year

Thereafter each term shall be for three years.

7. All members can serve an additional 3 year term.
8. All vacancies will be advertised including those seeking an additional term, with the exception of members of Council appointments.
9. All Board members must be voted in by the membership and appointed by Council, with the exception of the initial Board members appointed following establishment of this Bylaw, who shall be appointed by Council. New or reaffirmed members shall not be present during the voting process.

### Attendance at Meetings

10. Every member with the exception of members of Council who is absent from 3 consecutive regular meetings of the Board shall cease to be a member, unless their absence is caused by illness or is otherwise authorized by resolution of the Board.

### Resignation and Removal

11. Any member may resign from the Board at any time by sending written notice to the Board Chair. Any member may be removed from the Board by Council or Board at any time.
12. A member shall be deemed to have vacated his/her position if he/she ceases to meet the requirements set out in this Bylaw.

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13. In the event of a vacancy on the Board, the person appointed to fill such vacancy shall hold office for the remainder of the term of the original appointment from which the vacancy has arisen.

### Meetings

14. The BOARD will have a minimum of six (6) formal meetings per year. The minutes will be distributed within 3 weeks of each meeting to the Town and the board members. All agendas for upcoming meetings will be distributed to the Board membership at least one week prior to the formal Board meetings. During the month of December, the next year's meetings dates will be published in the year end meeting minutes.
15. All members present at a meeting must vote on any matter unless otherwise exempted by means of conflict of interest.
16. A minimum of four voting members shall constitute a quorum for all meetings.

### Officers

17. The Board will elect a chair, vice-chair, financial officer, and economic development officer from within its membership prior to November 1<sup>st</sup> of each year and notify the Town of those appointment names and contact information.
18. The Airport Manager will keep proper and accurate minutes of the proceedings of all meetings, copies of which shall be made available to the members as soon as practical after each meeting.
19. The Airport Manager shall carry out other administrative duties as required.

### Board Role, Duties and Responsibilities

The role of the Airport Development Board (Board), reporting to Ponoka Town Council, is to manage and operate the Ponoka Industrial Airport in accordance with the mandate and performance objectives established within the January 2015 Airport Business Plan and to provide Council with input and advice relative to the operation, management, strategic direction, and development and funding of the Airport.

The Board will act as ambassadors for the Ponoka Industrial Airport, and shall promote the airport to be the hub for aviation and compatible transportation to support local and regional economic development. The focus of the Board is to market and develop the airport to ensure compliance with all Town of Ponoka and Ponoka County bylaws while promoting economic development on the airport lands. The lots at the airport can be either leased or sold as per the land development lot plan number 3 as described in the Ponoka Airport Business Plan dated January 2015. The operation and maintenance of the Ponoka Industrial Airport will be conducted by the Town of Ponoka to ensure the requirements of a registered airport are met.

The Board shall provide input, advice and recommendations on matters such as, but not limited to:

- Airport marketing and promotion
- Airport policies and initiatives

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- Airport awareness and support
- Airport Master Plans and Business Plans
- Airport safety
- Matters referred to the Board by Council

20. The Board membership is a voluntary position and members must be focused on meeting the mandate of the Airport Business Plan. The voluntary members should have experience and skills that will enhance the contribution and effectiveness of the Board as a whole.
21. The Board must ensure the Airport is maintained and developed in accordance with the approved ASP and LUB development process.
22. The Board is responsible for the publication and distribution of the Airport Operations Manual and Emergency Response Publication.
23. The Board is responsible for the review and updating of the Canadian Air Supplement.
24. The Board is responsible to maintain, review, and update the CANPASS status for the airport.
25. The Board can enter into verbal agreements with potential lessees for airport lots understanding that the associated lessee lot fees must be in accordance with those fees approved by the Town of Ponoka.
26. Airport lots can be sold at a price determined by Town Council. All lots marketed for sale must be appraised by a certified property appraiser within 2 years prior to the date of sale. Final approval of property sales is a Town Council responsibility. The Board provides recommendation to Council for each property sale prior to a Council decision.
27. The Board must provide a written business plan and balanced budget for all components of revenue and expenditures to Town Administration prior to 15 September of each year.
28. The Board will be required to present the annual business plan initiatives and budget requirement to Council upon Councils request. Business plan and balanced budget must include both revenue and expenses.
29. In consultation with Town of Ponoka Administration, review and make recommendation for all fees and charges associated with tenants on the airport property, as well as, other fees and charges that may apply to airport users.
30. The Board membership must maintain an up to date record of all business plan activities, budgets, meeting minutes, letters and other correspondence in accordance with good management practices.
- ~~31.~~ In collaboration with Town of Ponoka Administration, appoint an airport manager from within Town of Ponoka administration.
32. The Board is responsible for marketing of the Ponoka Airport lot leases and lot sales in accordance with the January 2015 Airport Business Plan. Each year a marketing strategy as well as previous year marketing strategy results will be included in the upcoming business plan budget presentation to Council.

### Town of Ponoka Duties and Responsibilities:

33. Responsible to ensure the policies and bylaws of the Town are enforced.
34. Will provide financial services for the airport.
35. Will provide a final approved annual budget or interim budget prior to 31 December of the preceding year.
36. Provide or reaffirm existing Town of Ponoka appointments to the Board no later than November 1<sup>st</sup> of each year.
37. Responsible for the summer and winter airport maintenance programs, development and building permit approvals, submission of financial operating budget requirements to the

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- Board prior to the annual business plan submission requirements.
38. Responsible to ensure the fixed assets are maintained in accordance with the asset management programs.
  39. Responsible to provide information to the Board to maintain and update the Airport Operations and Emergency Plan annually and as changes occur.
  40. Responsible for issuance of NOTAM's.
  41. Ensuring the airport insurance coverage is maintained.
  42. Ensuring financial revenue and expenditure reports are available to the Board on a quarterly basis.
  43. Provide to the Board with a draft operating and maintenance budget and business plan for the upcoming year prior to 31 August of each year.
  44. Will provide final review and approval for all lot sales and lot leases in accordance with Council approval processes.
  45. The Town will ensure the airport's future development meets the requirements of the approved airport ASP and LUB.
  46. Ensure the airport is operated and maintained in accordance with the Transport Canada and Alberta Transportation requirements for registered airports.
  47. The Town of Ponoka will provide an Airport Manager representative for the Board as well as an Economic Development Advisor.

### Effective Date

48. Bylaw No. 353-15 is hereby repealed.
49. This Bylaw shall come into effect upon third and final reading:

First Reading: April 10, 2018

Second Reading: April 10, 2018

Third and Final Reading: April 24, 2018

### **TOWN OF PONOKA**

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER