

BROOKNEAL-CAMPBELL COUNTY

AIRPORT COMPACT

THIS AIRPORT COMPACT made this 16<sup>TH</sup> day of NOVEMBER, 1978, by and between the TOWN OF BROOKNEAL, an incorporated municipality and the COUNTY OF CAMPBELL, a political subdivision of the Commonwealth of Virginia, both parties hereinafter referred to as the JOINT COMPACTORS;

WITNESSETH; that under the authority granted to local governments by Section 15.1-21, 15.1-304 through 306 and Chapter 3 of Title 5.1, Code of Virginia, as amended, the JOINT COMPACTORS in consideration of their mutual interest in:

The improvement of transportation facilities within and proximate to their respective jurisdictions for general public convenience and well being and;

In pursuit of this broad beneficial goal, recognizing the substantial support for industry and industrial development, which contributes to the economic growth of their communities and the economic welfare of their citizens, which may be derived from the presence of adequate local air transport facilities;

Do agree to and declare the joint establishment of the BROOKNEAL-CAMPBELL COUNTY AIRPORT AUTHORITY, hereinafter referred to as the AIRPORT AUTHORITY or AUTHORITY, for the purpose of acquiring, constructing, maintaining and operating an airport and related facilities in accordance with the following articles.

Article I - COMPOSITION, APPOINTMENT AND REMOVAL The AIRPORT AUTHORITY shall consist of six (6) members; three of these members shall be appointed by the Brookneal Town Council and three members shall be appointed by the Board of Supervisors of Campbell County. All

appointments shall require only a simple resolution passed by majority vote of the body concerned. Members shall be subject to removal from office under provisions of Article 1.1, Chapter 6, Title 24.1, Code of Virginia, 1950 as amended.

Article II - TERM OF OFFICE Members of the AIRPORT AUTHORITY shall serve for a term of three years; except that, to insure membership continuity, initial appointments by the two governing bodies shall be designated as follows: one of the three members from each jurisdiction shall be appointed for a term ending on January 31, 1979; one member for a term ending on January 31, 1980 and one member for a term ending January 31, 1981, with succeeding appointments to be for a full three year term, thus requiring the appointment or reappointment of one member of the AIRPORT AUTHORITY by each governing body every year. Interim vacancies occurring in the membership of the AIRPORT AUTHORITY due to deaths, resignations, etc., will be filled only for the unexpired term of that member.

Article III - ORGANIZATION 1. In general, the AIRPORT AUTHORITY shall be organized in accordance with By-laws of that body; duly adopted and published at the initial meeting; except as provided herein.

2. The members of the AIRPORT AUTHORITY shall at the initial meeting each year, select from among their own number by majority vote; a Chairperson who shall preside at all meetings of the AIRPORT AUTHORITY and a Vice Chairperson who shall act for the Chairperson

in the latter's absence. Both the Chairperson and Vice Chairperson shall serve for a term of one year.

3. The members of the AIRPORT AUTHORITY shall also elect annually a Secretary-Treasurer, who may or may not be a member of the AIRPORT AUTHORITY and whose duties will include; keeping a record of all proceedings of the AIRPORT AUTHORITY, maintaining custody of the AUTHORITY seal, documents, minute book and other papers, and accounting, in accordance with generally accepted procedures and practices, for all monies administered by the AIRPORT AUTHORITY.
4. The AIRPORT AUTHORITY shall meet at least monthly, at a time and place to be determined by the members and at such other times as the members may deem necessary or appropriate; minutes of all meetings shall be recorded with copies provided to the JOINT COMPACTORS.
5. The JOINT COMPACTORS will provide interim administrative support until such time as the AIRPORT AUTHORITY is fully organized and self sufficient.
6. Four members of the AIRPORT AUTHORITY shall constitute a quorum for the purpose of conducting a meeting and an affirmative vote of four members of the AIRPORT AUTHORITY shall be necessary for any action to be taken by the AUTHORITY.

Article IV PURPOSES The AIRPORT AUTHORITY is established for the following purposes:

1. To obtain permission from appropriate State and Federal government agencies to establish and operate an airport.

2. To acquire whatever land and easements are reasonably necessary to establish, construct, operate and maintain an airport;
3. To construct, own, improve, expand, equip, operate and regulate such airport, air navigation equipment, and such other structures, services and property as may be incident thereto;
4. To install, operate and provide services for the accommodation and support of aircraft and air travelers utilizing the airport.

Article V POWERS OF THE AIRPORT AUTHORITY The AIRPORT

AUTHORITY is hereby authorized and empowered;

1. To adopt by-laws for the regulation of its affairs and the conduct of its business.
2. To adopt an official seal.
3. To acquire, hold and dispose of real and personal property in the exercise of its powers and the execution of its purposes in its own name on behalf of the JOINT COMPACTORS.
4. To employ such consultants, advisors, independent contractors and employees and agents as may be deemed necessary and to fix compensation for the AIRPORT AUTHORITY members, as well as, other personnel employed or hired as independent contractors.
5. To determine the design and construction standards for the airport at the designated location and to construct, operate and maintain the airport and

related support and service facilities.

6. To fix and collect tolls, rates, fees, rentals and such other charges as may be appropriate for the use of the airport and its facilities.
7. To make and enter into all contracts and agreements necessary or incidental to the execution of its powers and purposes.
8. To receive, account for and expend monies from all governmental sources; federal, state and local, made available for the establishment and operation of the airport.
9. To exercise the right of eminent domain in the acquisition of land, easements and privileges necessary for airport purposes on behalf of the JOINT COMPACTORS as authorized by Sections 5.1-34 through 36, Code of Virginia, as amended.
10. To do all acts and things necessary and convenient to the exercise and execution of the express powers and purposes of this compact.

Article VI ACQUISITION OF REAL PROPERTY All real property acquisitions by the AIRPORT AUTHORITY shall be in accordance with the provisions of Chapter 6, Title 25 Code of Virginia, as amended, "The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1972".

Article VII EXEMPTION FROM TAXATION - The establishment and operation of the airport and its support and service facilities constitute the performance of essential

governmental functions and the AIRPORT AUTHORITY shall not be required to pay the local taxes and assessments of the JOINT COMPACTORS.

Article VIII FINANCIAL SUPPORT Initially, funding support for the AIRPORT AUTHORITY shall be derived from the following sources until such time as the airport and support and service facilities are operational; grants and other fund applications by the Federal Government; support monies, contributions and other funds from the Commonwealth of Virginia; equal appropriations by each of the JOINT COMPACTORS.

Article IX Duration The AIRPORT AUTHORITY established herein shall continue in existence until such time as an authority or similar agency succeeds to its principal functions, purposes and powers by Act of the General Assembly of the Commonwealth of Virginia.

Article X TERMINATION OF COMPACT This compact may be terminated either prior to or concurrent with the creation of a successor authority by Act of the General Assembly, Commonwealth of Virginia, by mutual agreement and formal resolution of the governing bodies of the JOINT COMPACTORS; and any property held by the AIRPORT AUTHORITY at such termination which is not transferred to a successor authority or similar agency will be disposed of in accordance with the following procedures in the order of priority indicated; first, offered and resold to the original grantor/seller of the property to the AIRPORT AUTHORITY; second,

offered and sold/transferred to either of the JOINT COMPACTORS: and third, disposed of at public auction. Proceeds from such property dispositions will be used to satisfy obligations of the AIRPORT AUTHORITY and any surplus shared equally by the JOINT COMPACTORS.

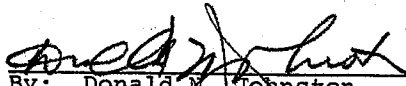
Article XI. COMPACT REFERENCE INCORPORATION Incorporated in and made a part of this AIRPORT COMPACT by reference is the GRANT AGREEMENT, between the JOINT COMPACTORS and the UNITED STATES OF AMERICA (acting through the Federal Aviation Administration) dated September 15, 1978 and entitled the Brookneal-Campbell County Airport Project, No. 5-51-0062-01, Contract No. FA-EA-1763. The AIRPORT AUTHORITY, in the acquisition, construction, maintenance and operation of the airport and related facilities, shall strictly adhere to and comply with the following provisions contained in the above cited GRANT AGREEMENT: The terms and conditions (Part I), the project approval information (Part II), the budget information (Part III), the program narrative (Part IV), and the Assurances (Part V) with Attachments 1 and 2, as well as, observing the accounting standards and requirements contained in the Accounting Records Guide for Airport Aid Program Sponsors, Advisory Circular 150/5100-A.

Article XII SEVERABILITY In the event any provisions of this compact conflict with applicable law and/or are declared null and void by a court of competent jurisdiction, such conflict and/or declaration shall not affect other provisions of this compact which can be given effect without the conflicting/void

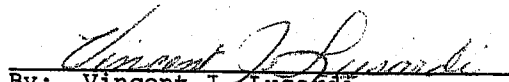
provision and to this end, the provisions of the compact are declared to be severable.

WITNESS following signatures and seals:

BOARD OF SUPERVISORS (SEAL)  
Campbell County, Virginia

  
By: Donald N. Johnston  
County Administrator

TOWN COUNCIL (SEAL)  
Town of Brookneal, Virginia

  
By: Vincent J. Lusardi  
Mayor of Brookneal, Virginia

STATE OF VIRGINIA

COUNTY OF CAMPBELL, to-wit:

On the 17<sup>th</sup> day of NOVEMBER in the year  
1978, before me, CHARLOTE F. SELZ a  
Notary Public in and for the county and state aforesaid, in my  
county aforesaid, personally appeared, DONALD N. JOHNSTON who  
acknowledged himself to be the COUNTY ADMINISTRATOR of CAMPBELL  
COUNTY, VIRGINIA and he, as such representative for the BOARD  
OF SUPERVISORS, the governing body of CAMPBELL COUNTY, VIRGINIA  
being authorized to do so by resolution of the BOARD OF  
SUPERVISORS OF CAMPBELL COUNTY adopted and recorded at the 18<sup>th</sup>  
SEPTEMBER, 1978 meeting of that body, so executed the  
above instrument for the purposes therein contained, by signing



in the name of CAMPBELL COUNTY, VIRGINIA as COUNTY ADMINISTRATOR.

Given under my hand this 17<sup>th</sup> day of NOVEMBER, 1978

Charlotte B. Sely  
Notary Public

My Commission Expires:

FEB. 9, 1980

STATE OF VIRGINIA

COUNTY OF CAMPBELL, to-wit:

On the 16 day of November in the year 1978, before me, John C. Rudd, a Notary Public in and for the county and state aforesaid, in my county aforesaid, personally appeared, VINCENT J. LUSARDI who acknowledged himself to be the MAYOR of BROOKNEAL, VIRGINIA, and he as such representative for the TOWN COUNCIL, the governing body of BROOKNEAL, VIRGINIA being authorized to do so by resolution of the TOWN COUNCIL of BROOKNEAL, VIRGINIA adopted and recorded at the Nov. 14, 1978 meeting of that body, so executed the above instrument for the purposes therein contained, by signing in the name of BROOKNEAL, VIRGINIA as MAYOR.

Given under my hand this 16 day of November, 1978.

John C. Rudd  
Notary Public

My Commission Expires:

5 December 1980