

**TRI-COUNTY AIRPORT AUTHORITY**  
**BYLAWS AND GOVERNANCE PROCEDURES**

The Tri-County Airport Authority was created to accomplish the cooperative, joint effort of the Boards of County Commissioners of Holmes, Jackson, and Washington Counties in the establishment and operation of an airport near their common geographic boundary point. For the orderly and legal conduct of the affairs of the Tri-County Airport Authority, the following By-Laws and Governance Procedures are hereby adopted by the duly appointed members of said Authority:

**Article I**  
**Definitions**

The following words and phrases shall have the following meanings, unless the context in which they are used requires otherwise:

**“Airport Facilities”** – The real property, fixtures, facilities, and other property comprising the Tri-County Airport.

**“Airport Manager”** - The individual or entity selected and employed by the Board to provide operational daily supervision of the airport administrative office involved with general maintenance and repair, hangar rental operations, direct contact with tenants, fuel operations, daily operational and financial reporting, execution of budget lines delegated, and other duties as assigned by the Board; reports to the Chairman. This position is separate from the “General Manager” concerned with operation of the Authority legal entity and statutory compliance.

**“Authority”** – The Tri-County Airport Authority, a public entity created pursuant to Chapter 69-534, Laws of Florida, an independent special district body corporate.

**“Authority Social Media Site”** – Any Social Media site or page that is established, endorsed, or funded by the Authority by its Members, employees, agents, volunteers, or contractors, the purpose of which is to disseminate information to the public regarding the Airport Facilities and the functions, services, and programs, offered by the Authority.

**“Board”** – The governing body of the Authority.

**“Enabling Act”** – Chapter 69-534, Laws of Florida, the special act providing for the creation of the Authority on July 9, 1969 and amended by House Bill 1375, July 1, 2020 (collectively the Enabling Act).

**“General Manager”** – The individual or entity selected and employed by the Board to administer the affairs of the Authority.

**“Member”** – A person appointed to serve on the Board in accordance with Chapter 69-534, Laws of Florida.

**“Member County” or “Member Counties”** – Holmes County, Jackson County, and Washington County.

**“Public Records”** – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business by the Authority.

**“Social Media”** – Means and includes blogs, websites, Facebook profiles/pages, Twitter feeds, Instagram, and related websites available for the dissemination of information and viewing by the public.

## **Article II Governing Body**

**Section 1. Board Membership.** Pursuant to the Enabling Act, as amended by HB 1375, July 1, 2020, the Authority shall be governed by a ~~fifteen~~ nine Member Board, selected as follows:

- a. ~~Five (5)~~ Three (3) Members appointed by the Holmes County Board of County Commissioners;
- b. ~~Five (5)~~ Three (3) Members appointed by the Jackson County Board of County Commissioners; and
- c. ~~Five (5)~~ Three (3) Members appointed by the Washington County Board of County Commissioners.

### **Section 2. Terms and Vacancies.**

- a. All Members shall be appointed to serve ~~five-year~~ three-year terms, except appointments to fill any vacancies for unexpired terms, in which event the appointment shall be for the unexpired term only.
- b. All vacancies shall be filled by the original appointing entity.
- c. There shall be no limitations on the number of consecutive terms a Member is eligible to serve.
- d. To initiate the term rotation established July 1, 2020, the following actions shall be taken. As of July 1, 2020, the Board shall establish a new seat allocation and term rotation to be effective from October 1, 2020:

<u>County</u>	<u>Seat #</u>	<u>Initial Term</u>	<u>Rotating Term</u>
Holmes	1	10/1/20 – 9/30/21	10/1/21 – 9/30/24
	2	10/1/20 – 9/30/22	10/1/22 – 9/30/25
	3	10/1/20 – 9/30/23	10/1/23 – 9/30/26
Jackson	4	10/1/20 – 9/30/21	10/1/21 – 9/30/24
	5	10/1/20 – 9/30/22	10/1/22 – 9/30/25
	6	10/1/20 – 9/30/23	10/1/23 – 9/30/26
Washington	7	10/1/20 – 9/30/21	10/1/21 – 9/30/24
	8	10/1/20 – 9/30/22	10/1/22 – 9/30/25
	9	10/1/20 – 9/30/23	10/1/23 – 9/30/26

Directors appointed and serving as of July 1, 2020, will be allocated into the new seats for each appointing county and the Authority shall obtain written concurrence from each county as to the appointed members and new terms. Any Directors displaced by the reduction of seats may at the discretion of the Board continue to attend meetings and participate in Board deliberations until their existing board term prior to June 30, 2020 expires, except they may not be counted to establish a quorum or in a roll call vote. Only the 9 seated Directors shall be eligible to hold officer positions or head the standing committees.

**Section 3. Member Compensation.** Members of the Board shall serve without compensation; however, Members may be compensated for reasonable expenses incurred in the conduct of Authority business in accordance with Chapter 112, Florida Statutes.

**Section 4. Education and Standards.**

a. At the commencement of a new term, all Members shall participate in an orientation program, which shall include instruction in basic parliamentary procedure, public records laws (chapter 119, Florida Statutes), public meetings laws (the “Sunshine Law,” chapter 286, Florida Statutes), and state ethic laws.

b. All Members shall comply with applicable provision of the Code of Ethics for Public Officers and Employees set forth in Part III, Chapter 112, Florida Statutes.

### **Article III**

#### **Authority and Responsibilities of the Board**

**Section 1. Enabling Act.** The general and specific powers of the Board shall be those authorized in the Enabling Act, which powers shall be liberally construed to enable to Board to fulfill the Enabling Act's stated purpose of establishment and operation of the Airport Facilities; provided, however, no provision in these bylaws shall be construed as superseding or exceeding those powers within the Enabling Act.

**Section 2. Authority.** The Board shall be responsible for the organization and control of the Airport Facilities, in accordance with the Enabling Act. The Board's actions shall be limited to establishing policies, rules, and procedures necessary to implement the Enabling Act and in furtherance of the safe and effective acquisition, construction, improvement, financing, operation and maintenance of the Airport Facilities.

**Section 3. Board Actions.** The Authority shall act only through actions of the Board or its duly authorized representative, and it shall not be bound by any action taken on the part of an individual Member, employee, agent, or contractor except when such action is taken in response to authorization from the Board.

**Section 4. Employees and Contractors.** The Board may employ an airport manager, an attorney, CPA Firm, outside auditor, and other employees and contractors as it deems necessary to effectively and efficiently carry out the purpose of the Authority as embodied in the Enabling Act.

### **Article IV**

#### **Officers and Duties**

**Section 1. Officers.** In ~~September~~ October of each year, at the Board's organizational meeting described in the Enabling Act and in Article V hereof, the Members shall elect the following officers:

- a. Chair;
- b. Vice Chair;
- c. Secretary; and
- d. Treasurer.

#### **Section 2. Terms of Office.**

a. The term of office for each officer shall be for a period of one year, commencing immediately upon election by the Board and terminating upon the Board's election of officers the following ~~September~~ October. There shall be no limitations on the ability of Members to serve as an officer for consecutive or multiple terms.

b. Vacancies in officer positions may be filled by the Board at any regular or special Board Meeting.

**Section 3. Chair.** The powers and duties of the Chair shall include, but not be limited to, the following:

- a. Presiding over all meetings of the Authority pursuant to the rules of parliamentary procedure;
- b. Maintaining order and decorum at all Authority meetings;
- c. Placing every motion before the Agency for consideration, announcing the result, and deciding all questions and issues of order and parliamentary procedure;
- d. Establishing a time limit for public speakers addressing the Board, if desired;
- e. Serving as the primary spokesperson for the Board and the Authority; and
- f. The Chair may discuss all matters before the Board and shall have the same voting rights as all other Members. However, the Chair shall neither make motions on items pending before the Board nor second any such motions without first relinquishing the chair, which shall not be returned until the pending item or matter has been disposed of.
- g. Taking such actions and signing appropriate documents to implement decisions by the Board and/or Executive Committee as recorded in meeting minutes.

**Section 4. Vice-Chair.** The powers and duties of the Vice Chair shall include, but not be limited to, the following:

- a. Acting in the absence of the Chair and when so acting shall have all the power and authority of the Chair;
- b. Presiding over meetings of the Authority in the absence of the Chair; and
- c. In the event the Chair resigns or leaves office for any reason, the Vice Chair shall serve as Chair until such time as a new Chair is selected to fill the remainder of the departed Chair's unexpired term.

**Section 5. Secretary.** The powers and duties of the Secretary shall include, but not be limited to, the following:

- a. Keeping and maintaining minutes of all Board and Executive Committee meetings;

b. Serving as public records custodian to the Authority by maintaining current operating files and the archives required by law;

c. Advertising and noticing all Board meetings in accordance with Article V hereof and complying with all other advertising and noticing requirements applicable to the Authority, unless otherwise delegated by the Authority; and

d. Maintaining the Authority website(s) and coordinating the actions of other officers regarding mandatory posting of Authority documents.

**Section 6. Treasurer.** The powers and duties of the Treasurer shall include, but not be limited to, the following:

a. Filing and complying with all financial reporting requirements applicable to the Authority to include current GAAP and GASB standards in Florida using general ledger accounting methods; and

b. Serving as the primary signatory on all banking accounts utilized by the Authority and ensuring that all financial transactions are in accordance with the delegation of financial signature and approval authority as established by the Authority; and

c. Posting a fidelity bond with the State as required by the Enabling Act pursuant to Article VIII hereof;

d. Reporting on the financial condition of the Authority at meetings and coordinating the actions of any CPA firms retained by the Authority to ensure the timely completion or required audits and other financial report; and

e. Advise the Authority about the financial and accounting aspects of any loans, debt, grants, or other liabilities contemplated or approved by the Authority.

## **Article V**

### **Meetings and Conduct of Authority Business**

**Section 1. General.** Except when otherwise provided by law, all official actions taken by the Board shall occur at a publicly noticed meeting of the Board which shall be open to the public. Board meetings noticed in accordance with state law and shall be held at reasonable times and at such locations as are open and accessible to the public.

**Section 2. Organizational Meeting.** In accordance with the Enabling Act, an organizational meeting shall be held annually in ~~September~~ October at which the Board shall elect the officers described in Article IV hereof and establish a schedule of the Authority's meetings for the following 12-month period. The Board may amend such regular meeting schedule at any meeting.

**Section 3. Special Meetings.** Meetings other than regularly scheduled meetings, including special meetings and workshops, may be called by the Chair from time to time. The purpose of the special meeting shall be stated in the call. Special meetings may also be called by written notice signed by at least ~~7~~ 4 Members of the Board. All special meetings shall be publicly noticed in accordance with state law and Section 5 below and upon such notification shall be considered regular meetings in accordance with the Enabling Act.

**Section 4. Emergency Meetings.** In the event a bona fide emergency situation exists, a meeting to deal with the emergency may be held as necessary, and the notice requirements in Section 5 shall not apply, however, the Board shall still provide reasonable notice to the public. All actions taken by the Board at an emergency meeting shall be subsequently ratified at a regular or special meeting of the Board. If a quorum of the Board (5 Members) is not available, the Executive Committee may convene an Emergency Meeting (Quorum = 3 of 5 Members).

**Section 5. Notices.** All meetings, public hearings, and workshops of the Board shall be publicly noticed as provided herein.

a. Following the organizational meeting in ~~September~~, October, the Board shall publish notice on the Authority's website and in a newspaper or newspapers of general circulation in the Member Counties a schedule of the Authority's regular meetings, which shall include the time, date, and location of each meeting.

b. All meetings, public hearings, and workshops other than regularly scheduled meetings shall be noticed at least 7 days before such meeting or workshop on the Authority's website and in a newspaper or newspapers of general circulation in the Member Counties, which notice shall include the day, time, place, and purpose of the meeting or workshop.

c. In the event the Board finds it necessary to cancel a scheduled meeting, public hearing, or workshop for any reason, notice of such cancellation shall be promptly placed on the Authority's website and shall also be disseminated to the public by other reasonable means.

d. It shall not be necessary to republish notice of any special meeting, public hearing, or workshop recessed or continued to a date and time certain.

**Section 6. Quorum, Agenda, and Action.**

a. The presence of ~~eight~~ five (5) Members shall constitute a quorum of the Board. The Executive Committee quorum shall be 3 of 5 Members.

b. After a quorum has been established, a simple majority of the quorum may transact any official business of the Authority unless prevailing law requires a differing voting requirement.

c. All official actions of the Board must be taken at a regular or special Board meeting, to include ratification of actions taken by the Executive Committee.

d. An agenda shall be prepared for each meeting and workshop and shall in all cases provide a period for public comment. The agenda shall contain a list of potential items for discussion or action during the planned meeting or workshop and shall include items requested by the Chair and other Members. At least 7 days before each meeting or workshop the agenda and any meeting materials available in electronic format shall be published to the Authority website. This information must remain on the Authority website for at least 1 year.

#### **Section 7. Public Comment.**

a. The Board and Executive Committee shall comply with Section 286.0114, Florida Statutes, which requires that members of the public shall be afforded a reasonable opportunity to be heard on each item or proposition that comes before the Board. The opportunity to be heard need not occur at the same meeting at which the Board takes official action if the opportunity occurs at a meeting that is during the decision-making process and is within reasonable proximity in time before the meeting at which the Board takes the official action.

b. The Board may adopt additional rules and guidelines in compliance with Section 286.0114, Florida Statutes, to govern the public's opportunity to be heard by Board resolution.

#### **Section 8. Parliamentary Procedures.**

a. Except as modified herein or in subsequent Board resolution, the Board shall endeavor to conduct all meetings in accordance with Robert's Rules of Order; provided, however, that failure to observe such parliamentary rules shall not invalidate any official action which is otherwise in compliance with these Bylaws, the Enabling Act, and/or other applicable law.

b. Before a Member may make a motion or speak in debate, they shall be recognized by the Chair. A Member who makes a motion shall be entitled to be recognized in preference to other Members in speaking on the motion. No Member who has already had the floor in debate on a pending motion shall be entitled to the floor again so long as any member who has not spoken on that question claims the floor. A Member who has obtained the floor on a motion may speak no longer than 10 minutes unless they obtain the consent of the Chair.

c. In conducting debate, each Member shall (i) confine their remarks to the merits of the pending question; (ii) refrain from attacking other Members' motives; (iii) address all remarks through the chair; (iv) refrain from speaking against their own motion; and (v) refrain from disturbing the assembly.

d. The Board may adopt additional rules, guidelines, and exceptions to Robert's Rules of Order by Board resolution.

**Section 9. Minutes.** Written minutes of the all Board and Executive Committee meetings shall be kept by the Secretary-Treasurer, which shall reflect all official actions taken by the Board. Minutes



need not be verbatim but shall accurately summarize the actions of the Board as to each item or matter that comes before it.

**Section 10. Voting Method.** Voting shall be by voice vote unless a Member shall demand a roll call, in which case the Chair shall call the roll and the vote of each Member entered in the minutes. Each Member shall vote on each matter which is considered by the Board unless the Member has a voting conflict as established herein and pursuant to chapter 112, Florida Statutes.

**Section 11. Voting Conflicts.**

a. No member shall vote in an official capacity on any measure which would inure to the special private gain or loss of themselves, any principal or entity by whom they are retained, or to any relative or business associate. In the event of a voting conflict, the affected Member shall: (1) announce the nature of the conflict before the vote; (2) abstain from voting; and (3) file a memorandum of voting conflict, which shall be included in the minutes for the meeting.

b. A Member with a voting conflict may participate in discussion of the item only after disclosing the nature of his/her conflict to the Board, to be followed by the filing of the memorandum of voting conflict described above and read publicly at the next Board meeting in accordance with Section 112.3143(4), Fla. Stat.

**Section 12. Committees.**

a. The Board may create advisory committees by Board resolution as the need arises to carry out specified tasks, at the completion of which, each advisory committee shall automatically cease to exist.

b. Advisory committees may only make recommendations to the Board and may take no official action on behalf of the Board or Authority except as specifically authorized herein or by subsequent action of the Board.

c. The Authority hereby establishes the following standing committees and the membership of same:

(1) The Executive Committee. The membership of the Executive Committee shall be comprised of the officers of the Authority described in Article IV hereof. When and if the Authority appoints, employs and/or contracts for the services of a Grants Coordinator, such individual shall also serve on the Executive Committee. The Executive Committee may be authorized to conduct business and/or perform specific functions on behalf of the Authority, but only following a specific authorization of such functions by the Board. The Executive Committee shall publish an annual meeting schedule monthly, posted to the Website, and is authorized to conduct Authority routine business between Board meetings with such actions ratified at the next Board meeting, to include holding Emergency Meetings if the Board quorum is not available. The Executive Committee shall select a Member to serve as chair as necessary for meetings if the Chair or Vice Chair are not in attendance. ~~following its creation.~~

(2) The Audit Committee. The membership of the Audit Committee shall consist of the Vice Chair and one (1) Member appointed from each Member County. The Vice Chair shall serve as chair of the Audit Committee. The purpose of the Audit Committee shall be to review the year-end financial records, audits, and financial reports generated by the Authority, and provided recommendations and guidance to the Board regarding same.

(3) The Grants Compliance Committee. The Grants Compliance Committee shall consist of the Treasurer and two other Members to be appointed by the Board, preferably with technical knowledge/experience/interest in the subject matter of the grants. When and if the Authority employs and/or contracts for the services of a grants coordinator, such individual shall also serve on the Grants Compliance Committee. The Grants Compliance Committee shall select a Member to serve as chair following its creation.

(4) The TCAA Emergency Plan & Guidelines Committee. This Committee shall be chaired by the Emergency Services Coordinator and consist of a Director as Assistant Coordinator, the Treasurer, Grants Coordinator, and the Airport Manager. Members shall be appointed by the Board and serve on this Committee at the pleasure of the Board or until having resigned. As a minimum, the Emergency Services Coordinator and the Airport Manager shall be National Incident Management System certified through the FEMA Emergency Management Training Institute in topics appropriate for a public airport. The initial Tri-county Airport (1JO) Emergency Plan & Guidelines, Version 1.55 (Final) was published May 15, 2019, and shall be reviewed annually to become effective with each fiscal year from October 1<sup>st</sup>.

d. All advisory committees and their members shall comply with public records laws (chapter 119, Florida Statutes), public meetings laws (the “Sunshine Law,” chapter 286, Florida Statutes), and applicable state ethic laws, and submit minutes or a brief summary of actions for Board ratification.

## **Article VI**

### **Budget Adoption**

**Section 1. Annual Budget.** Prior to October 1 of each year the Board shall hold a public hearing on the budget and adopt an annual budget for the Authority by resolution at a regular or special meeting of the Authority after the duly noticed public hearing. The annual budget shall contain an estimate of receipts by source and an itemized estimation of expenditures anticipated to be incurred to meet the financial needs and obligations of the Authority. The Treasurer, or such other person as designated by the Board shall prepare the annual budget. When appropriate for certain fiscal years, the annual budget shall include both an operating budget and a capital improvement budget. If the Board fails to adopt a budget prior to October 1 for any fiscal year, the Board shall continue to operate consistent with the budget adopted for the previous fiscal year until a new budget is adopted. No approval of the annual budget shall be granted at an emergency meeting.

### **Section 2. Notice Requirements.**

a. A copy of the proposed budget and a notice of the time and place of the meeting at which the Board shall consider adoption of the annual budget shall be posted on the Authority website at least 2 days prior to the public hearing. Notice of the meeting with a website link to the actual proposed budget shall also published in a local newspaper circulated in each Member County at least 7 days prior to the public hearing on the budget. The proposed budget must remain on the Authority website for at least 45 days.

b. The final adopted budget must be posted on the Authority website within 30 days of its final adoption by resolution and must remain on the website for at least 2 years.

c. Any final budget amendment must be posted on the Authority website within 5 days of its adoption and must remain on the website for at least 2 years.

**Section 3. Fiscal Policy and Amendments.** The adopted budget shall be the operating and fiscal guide for the Authority for the ensuing fiscal year, which shall run from October 1 to September 30. The Board may from time to time amend the budget by resolution at any duly called regular or special meeting.

## **Article VII Public Records**

**Section 1. Compliance with Public Records Laws.** The Authority, Board, any committees, and all Members and committee members shall fully comply with the public records laws embodied in Chapter 119, Florida. Statutes, and ensure that all Public Records are preserved in accordance with the retention schedule for state and local government agencies established by the State of Florida, General Records Schedule for State and Local Government Agencies. The Secretary or such other person as designated by the Board shall serve as the custodian of Public Records for the Authority. It shall be the duty of the custodian to ensure that Public Records are kept secure, reasonably protected from alteration or destruction, and readily available for inspection.

### **Section 2. Public Records Requests.**

a. Public Records requests may be made in person, in writing, by phone, by email, or fax. The contact information for the Authority's Public Records custodian and such other contact information necessary to submit a Public Records request shall be maintained on the Authority's website and prominently posted in the Authority's primary administrative building in which public records are routinely created, sent, received, maintained, and requested. The requestor does not have to provide a name, contact information, or show any special or legitimate interest in the record requested.

b. The Authority cannot refuse a request because it is "over broad," but can request clarification from the person requesting records. The custodian not required to answer questions, create or reformat its records in a particular form. The Custodian must allow inspection and

copying within limited reasonable time. Custodian can retrieve the record, review for exemption, and redact or delete any portion claimed exempt. No automatic delay permissible.

c. Public Records are to be made available for inspection and copying within a reasonable amount of time but in no case longer than five (5) business days following the original request, except for unusual circumstances, such as voluminous records or requests requiring extensive staff time. When unusual circumstances arise, the custodian should contact persons requesting documents every five (5) days until the request is fulfilled to inform them of progress in obtaining requested material.

**Section 3. Exemptions.** All exemptions of a Public Record or portions of a public record must be specifically authorized by law. If a Public Record is exempt or confidential from inspection pursuant to law, the basis for the refusal to release should be provided in writing. If only a portion of the record is exempt, only that portion can be deleted (and a reference to the basis for the exemption must be provided), but the remaining record must be provided for examination.

#### **Section 4. Costs.**

a. For all Public Records requests, the following fee schedule shall apply:

\$ .15 per page for single page copies (8.5" x 11" and 8.5"x 14)

\$ . 20 per page for double sided copies

\$1.00 per CD/DVD

\$1.00 per page for a certified copy of a public record

Costs for duplication of larger sized documents (i.e. planning maps, topographical maps, bound books, etc.) are charged at the actual cost associated with the duplication.

There shall be no charge for the first 30 minutes of time spent by the custodian or such other person as designated by the Authority in compiling Public Records pursuant to a Public Records request.

b. If the nature or volume of Public Records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory a special service charge. Any such special service charge so imposed shall be reasonable and shall be based on the actual cost incurred for the extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the Authority or attributable to the clerical and supervisory assistance required, or both. Actual cost means base salary plus benefits for Authority employees or the applicable contract rates for contracted Authority services for the lowest paid employee or contractor who is able to perform the service.

c. In order to maximize the efficient use of Authority resources, upon receipt of a Public Records request, the custodian shall estimate all costs associated with fulfilling that request and provide that estimate to the requestor within two (2) business days of receipt of the request. Any estimates in excess of \$10 must be paid in full to the Authority before the custodian begins producing the requested records. Upon receipt of a deposit of all estimated costs, the requested materials shall be made available within a reasonable time thereafter, which should not to exceed five (5) business days unless unusual circumstances exist. If the deposit exceeds the cost of the request, the balance will be returned to the requestor. In all cases, the total cost associated with processing a Public Records request must be paid before any materials will be provided to the requestor.

## **Article VIII**

### **Reporting Requirements**

**Section 1. Annual Reports.** The Secretary in coordination with other Authority officers and/or committee chairs, shall file all required Authority reports, including, but not limited to those required pursuant to sections 11.45 (6) and (7), 218.32, 218.38(3), 218.39, 218.503(3), 189.014, 189.015, 189.016, 189.08, and other applicable provisions of law.

**Section 2. Annual Financial Reports.** The Treasurer shall annually file a copy of the Authority's annual financial report for each fiscal year with the State of Florida Department of Financial Services no later than 9 months after the end of such fiscal year, which report shall be filed in accordance with Section 218.32, Florida Statutes.

**Section 3. Annual Financial Audit Reports.** In accordance with Section 218.39, Florida Statutes, if, by the first day in any fiscal year, the Authority has not been notified that a financial audit for that fiscal year will be performed by the Auditor General, the Board shall ensure that an annual financial audit of its accounts and records is completed within 9 months of the end of such fiscal year by an independent certified public accountant, if either the following conditions are met:

a. The Authority has revenues or total expenditures and expenses in excess of \$100,000; or

b. The Authority has revenues or total expenditures or expenses between \$50,000 and \$100,000 and was subject to a financial audit performed by either the Auditor General or an independent certified public accountant for the 2 preceding fiscal years.

**Section 3. Regular Meeting Schedule.** The Secretary or such other person as designated by the Board shall annually file a schedule of its regular meetings with each Member County after the adoption of the Board's regular meeting schedule in ~~September~~, October which report shall include the date, time, and location of each regular meeting.

**Section 4. Fidelity Bonds.** In accordance with the Enabling Act and Chapter 113, Florida Statutes, the Treasurer shall post a fidelity bond payable to the Governor of the State of Florida. The amount of the bond and any conditions thereon shall be determined by resolution of the Board.

**Section 5. Annual Special District Fees.** The Treasurer or such other person as designated by the Board shall annually pay the annual special independent district fee imposed and collected by the State of Florida Department of Economic Opportunity Special District Accountability Program promptly upon invoice for same.

## **Article IX**

### **Adoption of Rates, Fees, and Other Charges**

#### **Section 1. Adoption.**

a. The Board may adopt by resolution a schedule of rates, fees, or other charges for the use of the Airport Facilities and/or such other programs, services, or products offered by the Authority. Such rates, fees, and charges must have a reasonable relationship to the benefits conferred upon the payer.

b. Such rates, fees and charges shall be just and equitable and uniform for the users in the same class and may be based upon or computed upon any factor or combination of factors affecting the use of the Airport Facilities and/or such other programs, services, or products offered by the Authority, as may be determined by the Board from time to time.

c. Sale prices for fuel vary throughout the fiscal year and shall be set by Board resolution based upon cost and consideration of competitive prices in the general vicinity. The Board, at its option, may delegate the authority for setting fuel prices to the Treasurer and/or the Executive Committee.

d. Hangar rental rates shall be established for each fiscal year as part of the budget process by Board resolution and posted in the airport business office. When the Board determines to change hangar rental rates, new rates shall apply from a specific effective date for all new tenants after the effective date, and to existing tenants in accordance with their lease agreements. The Board, at its discretion, may negotiate special hangar rental rates or rental terms and conditions for competitive reasons.

**Section 2. Collection.** The Authority shall directly charge and collect such rates, fees, and charges so adopted and revised, and such rates, fees, and charges shall not be subject to the supervision or regulation by any other commission, board, bureau, agency, or other political subdivision of the State.

**Section 3. Notice.** No rates, fees or charges shall be fixed, adopted or revised until after a duly noticed public hearing is held at which all interested persons shall have an opportunity to be heard concerning the proposed rates, fees, or charges. After such hearing, the proposed schedule or schedules, either as initially adopted, or as modified or amended, may be finally adopted by resolution.

## **Article X**

### **Social Media & Authority Website Policy**

**Section 1. Purpose.** The Authority wishes to utilize Social Media as a means to disseminate information concerning the Airport Facilities and the various functions, services, and programs offered by the Authority. The rules set out herein are intended to provide for the responsible and appropriate use of social media in furtherance of this purpose.

**Section 2. Use of Social Media Sites by Members.** Members may create, manage, administer, or communicate news and their own views and opinions regarding Authority business through Social Media, but must ensure that they do not hold out such views as representative of the Authority as a whole.

**Section 3. Authority Website.** In accordance with Section 189.069, Florida Statutes, the Authority shall maintain a separate website containing, at a minimum, the following information:

- a. Full legal name of the Authority;
- b. Public purpose of the Authority;
- c. Name, official address, official email address, and, if applicable, term and appointing authority for each Member;
- d. Fiscal year of the Authority;
- e. Full text of the Enabling Act, date of establishment, the establishing entity, and the statute or statutes under which the Authority operates;
- f. Mailing address, email address, telephone number, and website uniform resource locator of the Authority;
- g. Description of the boundaries or service area and services provided by the Authority;
- h. Listing of all taxes, fees, assessments, or charges imposed and collected by the Authority, including the rates or amounts for the fiscal year and statutory authority for the levy;
- i. Primary contact information for the Authority;
- j. Link to Part III, Chapter 112, Florida Statutes;
- k. Authority's budget and any amendments thereto;

- l. Final audit for the most recent completed fiscal year and audit reports required by law;
- m. Listing of the Authority's regularly scheduled meetings and approved special meetings and workshops, if any;
- n. The Authority public facilities report required pursuant to Section 189.08, Florida Statutes;
- o. Link to the Department of Financial Services' website as set forth in Section 218.32(1)(g), Florida Statutes;
- p. At least 7 days before each meeting or workshop, the agenda along with any meeting materials available in electronic format, excluding confidential and exempt information, which materials must remain on the website for at least 1 year;
- q. Official Policies and Procedures of the Authority; and
- r. A list of Rules and Regulations of the Airport and of the Authority.

#### **Section 4. Creation and Use of Authority Social Media Sites.**

- a. Only persons who have been authorized by the Board may create an Authority Social Media Site or otherwise communicate via Social Media on behalf of the Authority.
- b. Each Authority Social Media Site shall have at least one individual designated by the Board who shall be responsible for the administration, updating, and maintenance of thereof (the "Page Administrator"). Each Page Administrator shall be required to undergo training covering state public records laws including but not limited to those contained in Chapter 119, Florida Statutes.

#### **Section 5. Use of Authority Social Media Sites.**

- a. The Page Administrator shall post the following on an Authority Social Media Site:
  - 1. The Authority's name and approved logo, if applicable;
  - 2. An Authority e-mail address or telephone number for contact purposes;
  - 3. Official Authority information, resources, calendars, events, and news; and
  - 4. A link to the Authority's website required 3 above.



- b. Authority Social Media Sites may not be used for the following:
  - 1. To communicate political advertisements or electioneering communications concerning an issue, referendum, or other matters that may be subject to the vote of the electors, except for electioneering communications limited to solely factual information in accordance with section 106.113, Florida Statutes;
  - 2. To communicate personal opinions; or
  - 3. To communicate irrelevant, impertinent or slanderous information.

**Section 6. Two-Way Communication.** At the discretion of the Board, Authority Social Media Sites may be structured to allow for two-way communication between the Authority and the Public. Where two-way communication is permitted, members of the general public may be allowed to post comments and other content which relates to the general purpose and subject matter of the site. In the event the Authority elects to allow for two-way communication, the following terms of use shall be posted on the Authority Social Media Site:

“The Tri-County Airport Authority has created this page as a limited public forum for the purpose of facilitating the dissemination of information and communication with the public concerning [Insert Description of Type of Info to Be Provided]. Please be aware that when engaging with the Tri-County Airport Authority through social media, you agree to adhere to the following terms of use:

Florida has broad public records laws. All postings on this page, including personal information, may be public records under Florida public records laws and all information is being preserved by the Tri-County Airport Authority.

Please keep all comments and discussion on topic and related to the purpose of the page.

The following are **expressly prohibited**: pornography; graphic or obscene content; content that promotes illegal activity; content that violates Federal Aviation Administration (“FAA”) FARs; violations of copyrights and trademarks; content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity or sexual orientation; content that constitutes an imminent threat; and solicitations, advertisements, or other content that is commercial in nature.

## **Section 7. Retention of Records.**

a. In accordance with Chapters 119, Florida Statutes, all communications made through Social Media regarding Authority business by Authority Members, agents, employees, volunteers, or contractors and comments by the public on Authority Social Media Sites are

Public Records and must be stored according to the retention schedule established by the Department of State.

b. Communications on personal Social Media sites regarding Authority business may also be considered a public record under the definitions in Chapter 119, Florida Statutes. It is the sole responsibility of the Authority Members, agents, employees, volunteers, and/or contractors who utilize personal Social Media sites to capture and save any communications received on the social media sites which relate to official Authority business and provide such communications to the custodian so that such communications may be retained according to the retention schedule established by the Department of State.

**Section 8. Sunshine Law Requirements for Members Utilizing Authority or Personal Social Media.** Members who use Authority Social Media Sites or personal Social Media sites must exercise caution to comply with Chapter 286, Florida Statutes. Pursuant to the requirements of Chapter 286, Florida Statutes, Members must not engage in an exchange or discussion of matters with other Members via Social Media on matters that will foreseeably come before that Board.

## **Article XI Amendment of Bylaws and Policies**

These Bylaws and any policies or procedures approved by the Board may be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing at the previous regular meeting of the Board for consideration.

## **Article XII Repeal of Previous Bylaws**

Upon approval by the Board, these Bylaws shall supersede any and all Bylaws previously adopted by the Board.

DULY APPROVED BY A UNANIMOUS VOTE OF THE TRI-COUNTY AIRPORT AUTHORITY BOARD on this 12th day of September, 2023 to be in full force and effect from October 1, 2023.

---

Herbert J. Locke, Jr., Chair

---

Date

Attest:

---

Ross Statham, Secretary