WEST VIRGINIA CODE: §8-29A-2

§8-29A-2. Appointment of members; powers and duties; compensation; terms; removal or replacement.

(a) The management and control of the county airport authority, its property, operations, business, and affairs, shall be lodged in a board of five persons who shall be known as Members of the Authority. The board shall constitute and be a public corporation under the name of "County Airport Authority" and as such shall have perpetual succession, may contract, and be contracted with, sue and be sued, plead and be impleaded, and have and use a common seal.

(b) All members shall be appointed by the county commission: *Provided*, That one member of the authority shall be a member of the county commission: *Provided, however*, That of the remaining four members of the authority no more than two shall be members of the same political party. At least a majority of members shall be residents of the county and be appointed for a term of five years, except that as to the first four appointed to the first board appointed, the term of one member shall expire on July 1, next ensuing and the term of the next member shall expire on July 1, two years thereafter, the term of another member shall expire on July 1, three years thereafter and the term of the remaining member shall expire on July 1, four years thereafter: *Provided further*, That the county commissioner appointed to serve as a member of the authority shall not serve for a term as member of the authority which is longer than the term of office as a member of the county commission.

(c) The members of the board shall receive no compensation for their services, but they are entitled to reimbursement for all reasonable and necessary expenses actually incurred in the performance of their duties as members of the board. They may not be personally interested, directly or indirectly, in any contract entered into by the board, or hold any remunerative position in connection with the establishment, construction, improvement, extension, development, maintenance or operation of any of the property under their control as members of the board: *Provided*, That nothing herein may be construed to prevent or make unlawful under this chapter or any other chapter of this code, the appointment to the board of any person whose only interest in any property under the control of the board is that the person in a noncommercial manner leases hangar space, purchases fuel, or contracts for any other goods or service provided by the airport authority subject to the control and management of the board.

(d) The county commission may remove any member of the authority for consistent violations of any provisions of this article, for reasonable cause which shall include, but not be limited to, a continued failure to attend meetings of the authority, failure to diligently pursue the objectives for which the authority was created or failure to perform any other duty prescribed by law, or for any misconduct in office: *Provided*, That if the county commission desires to remove a member of the authority it shall notify said member in writing, stating the reasons for the county commission desiring said removal. Within 10 days

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of the receipt of the written notice of removal by the member of the authority, the member may request a hearing before the county commission, and any such hearing shall be held within 10 days of the member's request for said hearing.

If any member of the authority dies, resigns, or is removed, or for any other reason ceases to be a member of the authority, the county commission shall within 30 days appoint another person to fill the unexpired portion of the term of that member.

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