

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-253  
HOUSE BILL 870**

AN ACT TO PROVIDE THAT THE MEMBER OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO SERVES AS A MEMBER OF THE STANLY COUNTY AIRPORT AUTHORITY SERVES AT THE PLEASURE OF THE BOARD OF COMMISSIONERS, TO PROVIDE THE SAME FOR THE CHAIRMAN OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, AND TO ALLOW THE STANLY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE AN ALTERNATE FOR BOTH THOSE POSITIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 2 of Chapter 419, Session Laws of 1971, as amended by Chapter 238, Session Laws of 1983, and by Chapter 929 of the 1987 Session Laws, and as rewritten by Chapter 583 of the 1991 Session Laws, reads as rewritten:

"Sec. 2. The Airport Authority shall consist of five ~~members~~ members, four of whom ~~who~~ shall be appointed to staggered terms of four years by the Stanly County Board of Commissioners. All of the members shall be residents of the County. The terms of the four appointed members of the Airport Authority shall be as follows: two members serving terms expiring March 31, 1993 and two members serving terms expiring March 31, 1995. Thereafter, all terms shall be for four years. Each of the members and their successors so appointed shall take and subscribe before the Clerk of the Superior Court of Stanly County, an oath of office and file same with the Stanly County Board of Commissioners. Upon the occurrence of any vacancy on said Airport Authority, said vacancy shall be filled within 60 days after notice thereof at a regular meeting of the Board of County Commissioners. ~~One of the five members~~ The fifth member shall be a county commissioner, whose term on the Airport Authority shall run concurrently with that member's term who shall serve at the pleasure of the Stanly County Board of Commissioners, but only as long as still serving as a county commissioner. The Stanly County Board of Commissioners may also appoint another member of the board of commissioners to serve as alternate member to attend and vote if the original appointee is unable to attend or is unable to vote. ~~In~~ As provided by G.S. 128-1.2, in the case of the member of the Stanly County Board of Commissioners serving as a voting member of the said Airport Authority, such membership shall not constitute double office holding within the meaning of Article VI, Sec. 9 of the Constitution of North Carolina, but instead is service ex officio."

**SECTION 2.** Section 4 of Chapter 141, Session Laws of 1961, as amended by Chapter 185, Session Laws of 1987, reads as rewritten:

"Sec. 4. The chairman of the Economic Development Commission shall ~~serve for four years corresponding in dates with said person's term of office as a county commissioner, except that initially said chairman shall serve until the first Monday in December, 1962,~~ serve at the pleasure of the Stanly County Board of Commissioners, but only as long as still serving as a county commissioner. ~~Said chairman shall be eligible to re-appointment provided he is re-elected as a member of the board of county commissioners."~~

**SECTION 3.** Section 2 of Chapter 141, Session Laws of 1961, as amended by Chapter 355, Session Laws of 1975, and Chapter 237, Session Laws of 1983, reads as rewritten:

"Sec. 2. Such commission shall be composed of twelve members to be appointed by the Board of County Commissioners for Stanly County. In making said appointments the board shall seek to achieve representation from the various geographic areas of the county and to maintain equal balance insofar as political party affiliation is concerned. In the event a vacancy occurs in the membership of such commission because of death, resignation, or otherwise, the board of county commissioners shall fill such vacancy by appointing a member from the same



section of the county and with the same political affiliation as his predecessor. There is hereby imposed on such member of the board of county commissioners as said board may designate the duty to serve as chairman of the Economic Development Commission and such commissioner, acting as chairman, shall be entitled to vote only in case of a tie. ~~In the event a vacancy occurs in the office of such commissioner, the board of county~~ The county board of commissioners shall designate another member of said board as an alternate member to attend and vote if the original appointee as chairman is unable to attend or is unable to vote. ~~to perform such duties.~~"

**SECTION 4.** Section 2 of this act becomes effective December 6, 2010. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2<sup>nd</sup> day of July, 2009.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives