

Aviation Advisory Board

Operating Charter

Adopted May 22, 2003

1. **Purpose.** This Operating Charter is adopted for the purpose of facilitating the orderly conduct of meetings and business of the Aviation Advisory Board, providing for continuity of leadership, and establishing a structure for the effective discharge of the Board's duties and responsibilities under Administrative Order #206, dated January 22, 2003. Nothing contained within this Operating Charter shall be deemed to supersede or replace the provisions of Administrative Order #206.

2. **Specific Objectives and Purposes of the Aviation Advisory Board.** The Aviation Advisory Board is established by Administrative Order #206, signed by Governor Frank Murkowski on January 22, 2003. The Administrative Order sets out purpose of the Aviation Advisory Board as follows:

Two temporary interim boards advisory to the Commissioner of Transportation and Public Facilities are established. The purpose of these advisory boards is to provide recommendations to the Commissioner of Transportation and Public Facilities on public policy related to the department's exercise of aviation and marine transportation functions assigned by law. The advisory boards may hold public hearings under the Open Meetings Act (AS 44.62.310-44.62.312) and use other means to solicit information from the public and other interested persons necessary to carry out their advisory functions. Records of the advisory boards are subject to AS 4025.110-40.25.120.

The board shall review and, as needed, advise the Commissioner of:

- a. the efficiency and effectiveness of aviation programs within the department;
- b. all laws affecting aviation programs, including federal and state statutes and regulations, and in particular Title 17 regulations;
- c. operations of the Alaska International Airport System;
- d. operations of rural airports in Alaska;
- e. aviation components of regional transportation plans developed by the department;
- f. the Aviation Improvement Program process and project funding list;
- g. the planning, design, and construction of all aviation projects undertaken by the department; and
- h. airport leasing policies, procedures and practices of the department

3. **Membership.** Per Administrative Order #206, the membership of the Aviation Advisory Board shall consist of 9 persons, appointed by the Governor of the State of Alaska. The specific members are to be:

- a. a representative of the Alaska Air Carriers Association;
- b. a representative of the Alaska Airmen's Association;
- c. a representative of carriers that are signatory to the Alaska International Airport System operating agreement;
- d. a representative who owns or is employed by a regional carrier;
- e. a community leader residing in the unorganized borough of the state;
- f. a representative of the mayor of the Municipality of Anchorage;
- g. a representative of the mayors of the City of Fairbanks and the Fairbanks North Star Borough;
- h. a representative of the non-airline tenants of the Alaska International Airport System; and
- i. a member representing other interests the governor determines appropriate

The Aviation Advisory Board may invite non-voting participation from representatives of other state and federal government agencies, as it considers appropriate to the conduct of the business of the board.

4. **Compensation of the Aviation Advisory Board Members.** Members of the Aviation Advisory Board are not entitled to receive compensation for service on the board, but are entitled to per diem and travel expenses from the State of Alaska, as authorized by law for boards and commissions.

5. **Meetings.** The Aviation Advisory Board shall meet quarterly, but may meet more frequently at the discretion of the Commissioner. All meetings will be open to the public and shall be noticed to the public in accordance with Alaska State Law.

Special meetings may be called by the Commissioner, or his/her designee, or by the board Chair. At least five calendar days prior to the date of the special meeting, notice of the meeting will be delivered to all members of the Aviation Advisory Board. Notice of all special meetings shall be delivered principally by mail, but may be provided to members by other means such as facsimile, e-mail, or telephone. All notices of special meetings shall include an agenda and a statement of the purpose of the meeting.

6. **Quorum.** A quorum shall consist of a simple majority of the members of the Aviation Advisory Board. Members shall be considered present if they are physically present at the meeting location, or present by means of electronic or telephonic communications. No business shall be considered by the board at any meeting at which the required quorum is not present at all times, and the only motion which the presiding chair shall entertain at such meeting is a motion to adjourn.

7. **Majority Action as Board Action.** Every act done or made by a simple majority affirmative vote of all board members (five affirmative votes) at a meeting at which a quorum is present is the act of the Aviation Advisory Board.

From time to time, it may become necessary for the Aviation Advisory Board to take action on unanticipated, time-sensitive matters. In such instances, the Commissioner or the Chair shall cause all board members to receive, either by hand delivery, mail or electronic means, written explanation of such action, the urgency thereof, and any draft resolution or other instrument of considered board action. Such materials shall be provided at least 48 hours in advance of any meeting or discussion of said action by the Aviation Advisory Board. The Chair shall cause a telephone or electronic vote of the Aviation Advisory Board to occur, at which one of two actions may be taken: 1) the board may record individual members vote on the action at hand; or 2) the board may elect to defer the action until a regular or special meeting can be noticed and convened. Decision by the Commissioner or Chair to invoke this provision of the Operating Charter must be accompanied by documentation of the urgency of the matter at hand requiring board action, and the extenuating circumstances precluding the convening of a meeting under the provisions of Article 5 of this Operating Charter. Such documentation shall become part of the permanent record of any such action taken by the Board on the urgent matter.

8. **Proxies.** Aviation Advisory Board members shall not assign a proxy to another board member. Aviation Advisory Board members who expect to be absent from a meeting at which a vote will be taken on one or more matters of business before the board may provide the Chair and/or staff with a written statement of their position on the issue(s) being considered. The Chair shall cause any such written statement to be provided to all board members present at the meeting (including those attending by electronic or telephonic means), and such statement shall become part of the official written record of the meeting.

9. **Conduct of Meetings.** Meetings of the Aviation Advisory Board shall be presided over by the Chair of the board, or in his or her absence, by the Vice-Chair of the board or, in his or her absence, by a Chair chosen by a majority of the members present at the meeting. Staff of DOT/PF shall act as recording secretary at all meetings of the Aviation Advisory Board; in the absence of such staff, the presiding officer shall appoint another person to act as secretary of the meeting.

Aviation Advisory Board action will be taken by a simple majority affirmative vote of all board members (five affirmative votes). The Board may elect to invoke Robert's Rules of Order as necessary, insofar as such procedures are not inconsistent with or in conflict with provisions of the law.

To facilitate effective public participation and to preserve proper decorum of meetings, the board may specify time limits on public testimony at meetings of the Aviation Advisory Board. Such time limits will be specified and announced at the commencement of the designated public comment period during each meeting.

10. **Officers.** The officers of the Aviation Advisory Board shall be a Chair, and a Vice-Chair. The Vice-Chair shall be selected by the Chair, with concurrence by the Commissioner. The

Aviation Advisory Board may also have other officers with such titles and duties as may be determined from time to time by resolution of the Board. Any member of the Aviation Advisory Board may serve as an officer. No member of the board shall hold more than one office at the same time.

11. **Attendance.** Absences of a board member from two regular quarterly meetings in a calendar year shall constitute cause for removal from the Board. In the event that a member is absent from two regular quarterly meetings the chair may with the concurrence of the Board recommend to the Governor the removal of that member and the appointment of another member to fulfill the member's unexpired term.

12. **Resignation.** An officer may resign at any time by providing written notice to the Commissioner. Any such resignation shall take effect on the date of receipt of such notice, or at any later date specified therein, and unless otherwise specified in the notice or required by other provisions of this Operating Charter, the acceptance of such resignation shall not be necessary to make it effective.

13. **Duties of Chair.** The Chair shall be the chief executive officer of the Aviation Advisory Board and shall, subject to the control of the board, have responsibility for general supervision and control of the affairs of the board and the activities of its officers. The Chair shall perform all duties incident to his or her office and such other duties which may be required by law, this Operating Charter, or which may be prescribed from time to time by the Aviation Advisory Board. The Chair shall preside at all meetings of the Aviation Advisory Board, except as otherwise provided under this Operating Charter. The Chair shall, in the name of the Aviation Advisory Board, execute such documents, resolutions and other instruments which may from time to time be authorized by the board, except as otherwise expressly provided by law. The Chair shall have the authority to establish special purpose committees and task forces and to appoint members of such committees and task forces. The Chair shall also establish an agenda for each meeting of the Aviation Advisory Board with concurrence by the Commissioner. The Chair shall act as the principal spokesperson for the Aviation Advisory Board in its communications with the public and the Commissioner.

14. **Duties of Vice-Chair.** In the absence of the Chair, or in the event of his or her inability to act, the Vice-Chair shall perform all of the duties of the Chair, and when so acting shall have all the power of, and be subject to all the restrictions, on the Chair. The Vice-Chair shall have other powers and perform such other duties as may be prescribed by law, this Operating Charter, or by the Commissioner.

15. **Standing Committees.** The Aviation Advisory Board shall establish such standing committees it deems necessary. Committee members shall be appointed by the Board Chair, at the next regularly scheduled meeting, and shall serve for a term of one calendar year.

16. **Special Committees and Task Forces.** The Aviation Advisory Board shall have such other special committees or task forces for such other purposes as may from time to time be designated by the Commissioner, the Chair or the Board. Committees shall consist of persons

who are members of the Aviation Advisory Board. Task forces may consist of a combination of persons who are and those who are not members of the board, except that in no instance shall non-board members constitute a majority of the members of an Aviation Advisory Board task force. Task Forces shall act in an advisory capacity to the Aviation Advisory Board. The function of each special committee and task force shall be reviewed annually at the board meetings, and a determination made at that time whether to continue the special committee or task force for an additional year.

17. Governance of Committees. The Chair of the Board shall appoint a Chair and Vice-Chair whose responsibilities shall parallel those set forth in this Operating Charter for the Chair and Vice-Chair of the Aviation Advisory Board. Meetings and actions of committees and task forces shall be governed by, noticed, held, and taken in accordance with the provisions of the Operating Charter concerning meetings of the Aviation Advisory Board, with such changes in the context of the Operating Charter provisions as are necessary to substitute the committee and its members for the board and its members. The Aviation Advisory Board may also adopt rules and regulations pertaining to the conduct of committee meetings to the extent that such rules and regulations are not inconsistent with the provisions of this Operating Charter. Staff will publish a public notice containing a schedule of committee, task force and Aviation Advisory Board meetings, together with a list of contact persons for each.

18. Ethics. Aviation Advisory Board members shall comply with the provisions of the *Alaska Executive Branch Ethics Act*, (Code of Ethics) cited as AS 39.52. Upon appointment to the Aviation Advisory Board, new members will be supplied by staff with copies of the Act, and a copy of the Ethics Disclosure Form.

In accordance with AS 39.52.220, all Aviation Advisory Board members are responsible for making declaration of any interest or activities which could result in a violation of the Code of Ethics. This disclosure must be presented, in writing (preferably using the Ethics Disclosure Form) to the board chair. Disposition of the declaration will follow the provisions of AS 39.52.220. An opportunity will be provided at the beginning of each Aviation Advisory Board meeting for members to verbally declare any conflict of interest they may have with respect to any agenda items, and for the Board Chair to rule on such declarations.

The Board Chair may, at his/her discretion, appoint an Ethics Committee to assist in the review of ethics matters, and to provide advice to the Board Chair. However, ultimate authority and responsibility for ruling on ethics matters involving Aviation Advisory Board members rests with the Board Chair. If a member of the Board objects to the ruling of the Chair, or if the ethics matter involves the interests of the Board Chair, the matter shall be decided by a majority vote of the Board. The affected Board member shall abstain from this vote.

In no case shall the provisions of this section supersede or negate the requirements and provisions as AS 39.52.

19. Adoption and Amendments. The power to adopt, alter, amend or repeal this Operating Charter is vested in the Aviation Advisory Board at any regularly scheduled meeting of the board.