

YORK COUNTY, PENNSYLVANIA

ORDINANCE

NUMBER 90-4

AN ORDINANCE AMENDING ORDINANCE NO. 89-3  
AND SIGNIFYING INTENTION TO ORGANIZE THE

AIR TRANSPORTATION AUTHORITY OF YORK COUNTY

UNDER THE MUNICIPALITY AUTHORITIES ACT OF 1945

WHEREAS, the Board of Commissioners of the County of York ("the County"), a county of the third class of the Commonwealth of Pennsylvania, has held a public hearing on August 16, 1989, the notice of which was given on July 13, 1989, as provided in the Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, as amended, 53 P.S. Section 301 et seq. ("The Act"), on adopting an Ordinance signifying their intention to organize York County Airport Authority as an Authority under the Act; and

WHEREAS, the Board of Commissioners enacted Ordinance 89-3 on August 16, 1989 in substantially the form as hereinafter set forth except with respect to the name of the Authority and the terms of office for the first members of the Board of the Authority, and desires to amend Ordinance 89-3 to provide as follows:

BE IT ENACTED AND ORDAINED, that Ordinance 89-3 of the County is amended to provide that the County as incorporating municipality shall cause to be filed with the Secretary of the Commonwealth of Pennsylvania, Articles of Incorporation for the proposed Authority substantially as follows:

a. Name: The name of the Authority shall be

AIR TRANSPORTATION AUTHORITY OF YORK COUNTY

b. Statutory Authorization: The Authority is formed under the Municipality Authorities Act of 1945 (1945, May 2 P.L. 382), as amended.

c. Purpose/Powers: The purpose of the Authority is to study current air transportation needs and to provide recommendations

for, and to carry out the purpose of acquiring, holding, constructing, financing, improving, maintaining and operating, owning, leasing, either in the capacity of lessor or lessee, all facilities necessary or incidental to the operation of one or more airports in York County, and shall have all powers provided under the Act, except as reserved by the County as hereinafter set forth.

d. Other Authorities of Incorporating Municipality: Other Authorities organized and in existence for the County of York as the incorporating municipality are:

1. York Area Transportation Authority
2. York County Solid Waste Authority
3. York County Industrial Development Authority
4. York County Hospital Authority
5. York County Redevelopment Authority
6. Susquehanna Valley Regional Airport Authority, a joint authority now existing or about to be formed by the Counties of York, Dauphin, Cumberland and Perry.

e. Name of Incorporating Municipality: The name of the incorporating municipality is: County of York, Pennsylvania, One Marketway West, Fourth Floor, York, Pennsylvania, 17401.

f. Authority Board Members/Terms. The names, addresses and terms of office of the first members of the Board of the Authority:

1. David L. Keperling, R. D. #3, Spring Grove, PA 17362  
- 1 year term;
- 17404 2. William H. Simpson, 2532 Hepplewhite Drive, York, PA  
- 2 year term;
3. Charles Bacas, 663 Madison Avenue, York, PA, 17404  
- 3 year term;
- 17404 4. Murray D. Friedman, 1000 Detwiler Drive, York, PA  
- 4 year term;

5. David B. Carver, One Marketway East, York, PA 17404

- 5 year term;

g. Retention of Approval Right by County for Business Improvements or Administrative Services: The County of York, Pennsylvania as incorporating municipality has retained the right, which exists under the Act, to approve any plan of the Authority, in the case of Authorities created for the purpose of making business improvements or providing administrative services, if any.

IN WITNESS WHEREOF, the Board of Commissioners have enacted this Ordinance the 17 day of October, 1990.

THE BOARD OF COMMISSIONERS OF  
YORK COUNTY, PENNSYLVANIA

BY: Lorraine B. Hovis  
Lorraine B. Hovis  
President Commissioner

BY: Ronald E. Fitzkee  
Ronald E. Fitzkee  
Commissioner

BY: George M. Trout  
George M. Trout  
Commissioner

ATTEST:

Harry Seyler  
Harry Seyler  
Chief Clerk/Administrator

ARTICLES OF INCORPORATION

OF

AIR TRANSPORTATION AUTHORITY OF YORK COUNTY

TO: The Secretary of the Commonwealth of Pennsylvania

In compliance with requirements of the Act of Assembly approved May 2, 1945, P. L. 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented, and pursuant to Ordinances duly adopted by the municipal authority of the County of York, Pennsylvania, expressing the intention and desire to organize a Municipality Authority under the provisions of said Act, said incorporating municipality does certify:

1. Name: The name of the Authority is:

AIR TRANSPORTATION AUTHORITY OF YORK COUNTY

2. Statutory Authorization/Retention of Approval Rights:

The Authority is formed under provisions of the Act of Assembly approved May 2, 1945, P. L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945". The incorporating municipality retains the right under said Municipality Authorities Act of 1945 to approve any plan of the Authority to provide business improvements and administrative services.

3. Other Authorities of Incorporating Municipality: No other Authorities which have been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and

supplemented, known as the "Municipality Authorities Act of 1945", or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, or under the Act of December 27, 1933 (Special Session, 1933, P.L. 114) are in existence in or for the incorporating municipality except:

- (a) York Area Transportation Authority
- (b) York County Solid Waste Authority
- (c) York County Industrial Development Authority
- (d) York County Hospital Authority
- (e) York County Redevelopment Authority
- (f) Susquehanna Valley Regional Airport Authority, a joint authority now existing or about to be formed by the Counties of York, Dauphin, Cumberland and Perry.

4. Name of Incorporating Municipality: The name of the incorporating municipality is:

County of York, Pennsylvania  
One Marketway West  
Fourth Floor  
York, PA 17401

5. Names of Municipal Authorities of Incorporating Municipality: The names and addresses of the municipal authorities of said incorporating municipality are:

| <u>NAME</u>       | <u>OFFICE</u>   | <u>ADDRESS</u>                     |
|-------------------|---|------------------------------------|
| Lorraine B. Hovis | President Commissioner<br>Board of Commissioners<br>York County, Pennsylvania | 1 Marketway West<br>York, PA 17401 |
| Ronald E. Fitzkee | Commissioner<br>Board of Commissioners<br>York County, Pennsylvania           | 1 Marketway West<br>York, PA 17401 |

George M. Trout                      Commissioner                      1 Marketway West  
Board of Commissioners                      York, PA 17401  
York County, Pennsylvania

6. First Members of Board of Authority/Terms of Office. The names, addresses and terms of office of the first members of the Board of the Authority, each of whom is a resident and citizen of said incorporating municipality by which such member is appointed, are as follows:

| <u>NAME</u>        | <u>ADDRESS</u>                                    | <u>TERM</u> |
|--------------------|---|-------------|
| David L. Keperling | R. D. #3<br>Spring Grove, PA 17362                | 1 year      |
| William H. Simpson | 2532 Hepplewhite Dr.<br>York, PA 17404            | 2 years     |
| Charles Bacas      | 663 Madison Avenue<br>York, PA 17404              | 3 years     |
| Murray D. Friedman | 2550 Kingston Road<br>Suite 307<br>York, PA 17403 | 4 years     |
| David B. Carver    | 1 Marketway East<br>York, PA 17401                | 5 years     |

IN WITNESS WHEREOF, the County of York has caused these Articles of Incorporation to be executed by its Board of Commissioners of York County, Pennsylvania and has caused these Articles of Incorporation to be attested by its Chief Clerk/Administrator and its official seal to be affixed, this 17th day of October, 1990.

COUNTY OF YORK  
BY: Lorraine B. Hovis  
Lorraine B. Hovis  
President Commissioner

BY: Ronald E. Fitzkee  
Ronald E. Fitzkee  
Commissioner

BY: George M. Trout  
George M. Trout  
Commissioner

ATTEST:

Harry A. Seyler  
Harry Seyler, Chief Clerk/  
Administrator