

## AIRPORT AGREEMENT

THIS AGREEMENT MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

BETWEEN: THE COUNTY OF ST. PAUL # 19  
of St. Paul, in the Province of Alberta  
  
(hereinafter called the "County")

OF THE FIRST PART

-and-

THE TOWN OF ELK POINT  
of Elk Point, in the Province of Alberta  
  
(hereinafter called the "Town")

OF THE SECOND PART

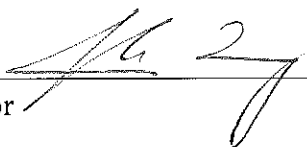
WHEREAS the Town and the County are desirous of jointly owning and operating a municipal airport on those lands hereinafter described.

NOW THEREFORE THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. The parties hereto agree that they will and shall jointly operate a municipal airport on the above described lands and that each party shall share equally in revenue and expenses.
2. Until otherwise mutually agreed upon to the contrary by both parties hereto, said airport shall be operated and managed by an authority to be known as the Elk Point Municipal Airport Authority and to be comprised of representatives as follows, namely:
  - a. Two (2) councillors from the County of St. Paul No. 19
  - b. Two (2) councillors from the Town of Elk Point
  - c. One (1) person at large not being a County Councillor, and appointed by the County.
  - d. One (1) person at large not being a Town of Elk Point Councillor and being appointed by the Town of Elk Point.
  - e. One (1) person appointed by a majority vote of all of the before mentioned appointees.
3. The Elk Point Municipal Airport Authority hereinafter referred to as the "authority" shall have the following rights, duties and obligations, namely:
  - a. The operation of the airport.

- b. The preparation of a detailed budget to be submitted to both parties hereto on or before the 1<sup>st</sup> day of February of each year.
  - c. The right to assess charge and collect rentals, lease payments or any other income which might be obtainable from the use of said airport lands and/or improvements thereon.
  - d. To appoint a chairman and other officers as the authority might desire from its members, and shall have the right to set its own procedural regulations.
  - e. To carry on such directions and instructions as might be given to it by both parties hereto, provided, however, that the authority will not and shall not be obliged to follow or accept any instructions or directions from only one of the parties to this agreement.
4. The member of the authority appointed at large shall be appointed from the 1<sup>st</sup> day of July of each year for a two (2) year term and members will be eligible for reappointment for one or more than two year terms.
5. In consideration of the mutual covenants herein the County does hereby agree to waive all assessments and taxes of both land and any and all improvements on said lands during the currency of this Agreement.
6. This Agreement may be amended by either party upon thirty days written request to the other party to review the terms of this Agreement.
7. No person having a direct or indirect interest in any commercial enterprise on said airport land, or any commercial enterprise dealing with any other on said airport lands, or any person having an indirect or direct interest in any contract with the authority shall be eligible to sit on the authority nor shall such a person be appointed by either party hereto. Provided, however, that no person shall be ineligible for appointment simply because he has a private hangar and/or operates a private plane on said airport lands.

TOWN OF ELK POINT

PER   
Mayor

COUNTY OF ST. PAUL #19

PER \_\_\_\_\_  
Reeve

BYLAW 691/11  
TOWN OF ELK POINT #043

A BY-LAW OF THE TOWN OF ELK POINT AND THE COUNTY OF ST. PAUL NO. 19 IN THE PROVINCE OF ALBERTA TO ESTABLISH AN AIRPORT AUTHORITY FOR THE PURPOSE OF CONSTRUCTING AND OPERATING THE ELK POINT MUNICIPAL AIRPORT.

WHEREAS it has been considered necessary to construct a new airport to upgrade aviation facilities in the trading area;

AND WHEREAS, it has been agreed that the airport be owned and operated by the Town of Elk Point and the County of St. Paul No. 19;

AND WHEREAS, it has been considered expedient that an airport authority be established for the purpose of making applications for grants for construction of certain improvements to the Elk Point Municipal Airport and to subsequently operate the airport;

AND WHEREAS, it has been agreed that the Elk Point Municipal Airport Authority shall consist of two Council members from the Town of Elk Point, two Council members from the County of St. Paul No. 19, and three members appointed at large being a member of the Elk Point and District Chamber of Commerce, one appointed by the Town of Elk Point and one appointed from the County of St. Paul No. 19;

NOW THEREFORE, the Municipal Council of the Town of Elk Point duly assembled in Council and pursuant to the provisions of the Municipal Government Act, hereby enacts as follows:

1. That an airport authority to be known as the Elk Point Municipal Airport Authority is hereby established.
2. The Authority is hereby authorized to make applications for Provincial and Federal grants for the purpose of upgrading an constructing certain improvements to the existing airport.
3. Upon completion of the construction works at the airport, the Authority is hereby empowered to operate the said Airport on such terms and conditions as may be delegated by the Councils, and in accordance with the Ministry of Transport public airport license standards.
4. Make application to Alberta Municipal Affairs for establishment of an Airport Vicinity Protection Area on the airport and adjacent lands.

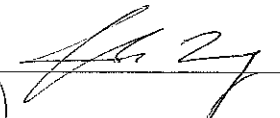
Bylaw #352 is hereby repealed.

READ a first time this 26 day of April, A.D., 20 11.

READ a second time this 26 day of April, A.D., 20 11.

With unanimous consent:

READ a third time and finally passed this 26 day of April, A.D., 20 11.

Mayor   
Town Manager 