



## Ohio Revised Code

### Section 308.22 Airport development districts - governance.

Effective: April 12, 2021

Legislation: Senate Bill 259 - 133rd General Assembly

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(A) An airport development district shall be governed by the board of trustees of a nonprofit corporation which shall be known as the board of directors of the airport development district. Initially, the board shall consist of three directors appointed by the board of trustees of the regional airport authority, the board of directors of the port authority, or the legislative authority of the municipal corporation that owns, operates, or maintains the qualifying airport. One year after the resolution creating the district is adopted, or thirty days following the date that the owner or owners of at least four parcels within the district or businesses operating within the district, collectively, have entered into development charge agreements, whichever is later, an additional four directors shall be appointed to the board by the owners of property within the district and businesses operating within the district that are subject to a development charge agreement, in the manner specified in the resolution creating the district. All appointments shall be made in accordance with any applicable rules, regulations, and guidelines of the federal aviation administration.

(B) Notice of the time, date, place, and agenda for any meeting of the board of directors of the airport development district shall be by written notice to each director, transmitted by certified mail, personal service, or electronic device before the meeting. If possible, the notice shall be served at least one week before the meeting. The board of directors shall act by a majority vote of those present and authorized to vote at any meeting where proper notice has been served.

Before making any expenditure, including those authorized under section 308.25 of the Revised Code, the board of directors of the airport development district shall notify the board of trustees of the regional airport authority, board of directors of the port authority, or legislative authority of the municipal corporation that owns, operates, or maintains the qualifying airport of the proposed expenditure. The expenditure shall not be made unless the board of trustees of the regional airport authority, board of directors of the port authority, or legislative authority of the municipal corporation adopts and certifies a resolution to the board of directors of the airport development district approving the expenditure.



(C) The board of directors of the airport development district shall elect a chairperson, vice-chairperson, secretary, and treasurer of the board. These officers shall serve at the board's pleasure. A director may be elected to more than one office, except that the director elected as treasurer shall not be elected to any other office of the board.

(D) By the first day of March of each year the treasurer shall submit a report of the district's activities and financial condition for the preceding year to the owners of all property that is, and businesses that are subject to a development charge agreement and to the board of trustees of the regional airport authority, board of directors of the port authority, or legislative authority of the municipal corporation that owns, operates, or maintains the qualifying airport.

(E) Membership on the board of directors of the airport development district shall not be considered holding a public office. Directors and their designees shall be entitled to the immunities provided by Chapter 1702. of the Revised Code and to the same immunity as an employee under division (A)(6) of section 2744.03 of the Revised Code, except that directors and their designees shall not be entitled to the indemnification provided in section 2744.07 of the Revised Code.

(F) District officers, directors, and their designees or proxies, and each officer and employee of a district shall be considered a public official or employee under section 102.01 of the Revised Code and a public official and public servant under section 2921.42 of the Revised Code but are not required to file a statement with the Ohio ethics commission under section 102.02 of the Revised Code. All records of the district shall be treated as public records under section 149.43 of the Revised Code, except that records of organizations contracting with a district shall not be considered to be public records under that section or section 149.431 of the Revised Code solely by reason of that contract.