

RESOLUTION NO. 2023 – 04
OF THE
JACKSON HOLE AIRPORT BOARD
RE: Delegation and Reservation of Authority
March 15, 2023
Revised August 21, 2024

The Jackson Hole Airport Board (“Board”), a body corporate, organized under the laws of Wyoming, finds that:

WHEREAS, the Board is authorized to operate and maintain the Jackson Hole Airport (“Airport”) under powers granted by the Wyoming Aeronautics Act (Wyoming Statute § 10-5-101 *et seq.*); the *Town of Jackson and Teton County Agreement Regarding the Jackson Hole Airport Board* (October 7, 2013) (“Joint Power Agreement”); and Chapter 2.36 of the Ordinances of the Town of Jackson;

WHEREAS, the Board operates the Airport pursuant to the *Agreement Between the United States Department of the Interior and the Jackson Hole Airport Board*, which was effective as of April 27, 1983, and amended as of July 29, 1985, July 30, 2003, May 18, 2011, and September 1, 2013 (“*Use Agreement*”);

WHEREAS, the duties associated with governing the Airport principally are vested in the five-member Airport Board;

WHEREAS, the Board is authorized under Wyoming Statute Section 10-5-202(d) and the Joint Power Agreement Section 8(a) to appoint an airport manager and other personnel to “operate and maintain the airport and its allied facilities”;

WHEREAS, the respective powers of the Board and airport manager (“Executive Director”) are captured in multiple sources, including without limitation, the Wyoming Aeronautics Act, Joint Power Agreement, Town of Jackson Municipal Code Chapter 2.36 and Chapter 12.16, the *Contract & Rates Approval and Signature Policy* (current version dated June 14, 2021), the *Procurement Policy and Code of Conduct for Procurement* (current version dated September 13, 2022) (“*Procurement Policy*”), and the Executive Director’s employment contract;

WHEREAS, the Board wishes to better define the respective roles and responsibilities of the Board and the Executive Director in a single document and to specifically enumerate those authorities delegated to the Executive Director (and his delegates) and those authorities reserved to the Board; and

WHEREAS, the Board wishes to address the decision-making responsibilities associated with the operation of the Fixed Base Operator, beginning on May 1, 2023, to be operated under the name Jackson Hole Flight Services.

NOW, THEREFORE, by this Resolution, the Board hereby delegates authority to the Executive Director and reserves other powers unto itself, as follows:

1. Jackson Hole Flight Services (FBO)

- a. The following powers shall be delegated to the Executive Director:
- i. To execute aircraft storage agreements, contracts for FBO products and services, catering contracts, crew/courtesy car agreements, agreements with commercial aeronautical businesses (as a tenant or non-tenant), and similar and related agreements using standard form agreements approved by the Board.
 - ii. To set and revise a schedule of prices for fuel, aircraft storage and FBO services, provided such prices are consistent with the Board-approved budget and the *Use Agreement*.
 - iii. To identify vendors, conduct negotiations and execute contracts and purchase orders for supplies and equipment using the procurement methods set forth in the *Procurement Policy*.
 - iv. To approve and sign purchase orders for aviation fuel, motor fuel, and deicing and similar fluids except as may be limited by the *Procurement Policy*.
 - v. To establish Standard Operating Procedures for the management and operation of Jackson Hole Flight Services.
 - vi. To establish the hours of operation and the products and services to be provided at Jackson Hole Flight Services, consistent with the *Use Agreement*. The Executive Director will notify the Board prior to any material adjustment in the hours of operation.
 - vii. To seek and obtain required licenses and certificates as required by the Federal Aviation Administration, State of Wyoming and/or local jurisdictions.
 - viii. To hire, set compensation (in accordance with the annual budget approved by the Board) and manage personnel assigned to Jackson Hole Flight Services, in the same manner as other Airport employees.
 - ix. To manage the finances of Jackson Hole Flight Services, including the receipt of payment for FBO services and the payment of invoices.
 - x. To educate customers about mandatory and voluntary noise abatement measures and the Airport Fly Quiet Program.
 - xi. To declare in default or terminate an agreement with which second party is not in compliance.
 - xii. With prior notification to the Board, to bid on, negotiate for the purchase of and execute a bill-of-sale or similar agreement for aircraft and aircraft parts and equipment from a dealer, broker, or at auction using net operating revenues from the FBO, for the purpose of repair or restoration principally by employees of

Jackson Hole Flight Services certified in aircraft maintenance and repair, and to sell or trade the same following the repairs and restoration.

b. Notwithstanding the foregoing, the Board recognizes that the following non-exclusive list of powers rest with and shall be reserved to the Board:

- i. To approve the form of standard agreements.
- ii. To approve any agreement not identified in Section 1.a.i. above or any agreement identified in Section 1.a.i. where the Board has not approved a form of standard agreement, or otherwise given direction to the Executive Director.
- iii. To approve loans and other financial instruments for capital improvements and other expenditures associated with Jackson Hole Flight Services.
- iv. To approve the annual budget and budget amendments for anticipated revenues and approved expenditures for Jackson Hole Flight Services.
- v. To approve each contract or agreement as prescribed in the *Procurement Policy* not otherwise delegated by this Resolution to the Executive Director.

- 2. The Executive Director may further delegate to his/her designee(s) the powers conferred herein.
- 3. Nothing in this Resolution shall be construed to prohibit the Executive Director and his staff, in their discretion, from bringing to the Board for its approval matters which have, by this Resolution, been delegated to the Executive Director or his designees.
- 4. The Board intends that the delegations of authority granted by this Resolution shall be reviewed regularly.

Upon motion duly made and seconded, the foregoing Resolution was originally adopted by the Jackson Hole Airport Board this 15th day of March 2023, and amended by the Jackson Hole Airport Board this 21st day of August, 2024.

JACKSON HOLE AIRPORT BOARD

Signed by:
 By: Valerie G. Brown
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 Valerie Brown, President

Attest:

Signed by:
 By: Robert McLaurin
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 Bob McLaurin, Secretary