

12-106. INDUSTRIAL DEVELOPMENT AUTHORITIES — BOARD OF DIRECTORS.

(A) COMPOSITION; APPOINTMENT OF MEMBERS.

(1) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE BOARD OF DIRECTORS OF AN AUTHORITY CONSISTS OF FIVE MEMBERS APPOINTED BY THE LEGISLATIVE BODY OF THE INCORPORATING COUNTY OR MUNICIPAL CORPORATION.

(2) APPOINTMENT PROCEDURES SHALL BE PROVIDED IN THE RESOLUTION ESTABLISHING THE AUTHORITY.

(3) (I) IN A COUNTY OR MUNICIPAL CORPORATION THAT HAS A PUBLICLY ELECTED CHIEF EXECUTIVE, THE CHIEF EXECUTIVE SHALL SUBMIT NOMINATIONS FOR THE INITIAL BOARD MEMBERS.

(II) THE CHIEF EXECUTIVE MAY NOMINATE MORE THAN ONE INDIVIDUAL FOR AN INITIAL BOARD MEMBER POSITION.

(4) AN OFFICER OR EMPLOYEE OF THE INCORPORATING COUNTY OR MUNICIPAL CORPORATION MAY NOT BE APPOINTED TO THE BOARD BUT, IF PROVIDED BY RESOLUTION, MAY SERVE AS AN EX OFFICIO, NONVOTING MEMBER OF THE BOARD.

(B) TENURE; VACANCIES.

(1) (I) THE INITIAL FIVE MEMBERS OF THE BOARD OF DIRECTORS OF AN AUTHORITY SHALL BE APPOINTED FOR STAGGERED TERMS, RANGING FROM 1 TO 5 YEARS, RESPECTIVELY, BEGINNING ON THE DATE THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION ACCEPTS THE ARTICLES OF INCORPORATION OF THE AUTHORITY FOR RECORD.

(II) EXCEPT AS PROVIDED FOR INITIAL BOARD MEMBERS, THE TERM OF AN APPOINTED MEMBER IS 5 YEARS.

(2) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED.

(3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED.

(4) (I) IN A COUNTY OR MUNICIPAL CORPORATION THAT HAS A PUBLICLY ELECTED CHIEF EXECUTIVE, THE CHIEF EXECUTIVE SHALL SUBMIT NOMINATIONS FOR VACANCIES ON THE BOARD.

(II) THE CHIEF EXECUTIVE MAY NOMINATE MORE THAN ONE INDIVIDUAL FOR A VACANCY.

(C) REMOVAL.

(1) A MEMBER MAY BE REMOVED AT ANY TIME WITH OR WITHOUT CAUSE.

(2) PROCEDURES FOR REMOVAL SHALL BE THOSE PROVIDED IN THE RESOLUTION ESTABLISHING THE AUTHORITY OR A SUBSEQUENT RESOLUTION.

(D) OFFICERS.