

**GREATER HICKORY METROPOLITAN PLANNING ORGANIZATION  
(GHMPO)  
TRANSPORTATION ADVISORY COMMITTEE (TAC)**

**BY LAWS**

**February 2003**

ARTICLE I – NAME

The name of this organization shall be the Greater Hickory Metropolitan Planning Organization, hereinafter referred to as the “MPO”.

ARTICLE II – PURPOSE

The purpose and goals of the MPO shall be:

1. To develop and direct a continuing, comprehensive transportation planning process carried on cooperatively by the State and local communities in concurrence with Federal guidelines.
2. To advise the policy boards within the Greater Hickory Metropolitan Planning Organization on the status of needs identified through the continuing transportation planning process.
3. To facilitate coordination and communication between policy boards and agencies represented on the MPO and Technical Coordinating Committee (TCC).
4. To facilitate coordination between the policy boards of the Greater Hickory Metropolitan Planning Organization and the North Carolina Board of Transportation.
5. To assist the general public in understanding decisions and policies of the policy boards.
6. To act as a forum for cooperative decision-making by elected officials of this metropolitan area in cooperation with the State, thereby serving as the basis for a cooperative planning process.

ARTICLE III – RESPONSIBILITIES

As specified in the Memorandum of Understanding, the responsibilities of this committee shall include:

1. Establishment of goals and objectives for the transportation planning process;

2. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for various agencies participating in the transportation planning process;
3. Review and approval of changes to the Urbanized Area Boundary and the Metropolitan Area Boundary as well as review and recommendations for changes to the National Highway System;
4. Review and approval of the Greater Hickory Metropolitan Planning Organization Planning Work Program (PWP);
5. Review and approval of changes to the adopted Greater Hickory Metropolitan Planning Organization Long-Range Comprehensive Transportation Plan (As required by General Statutes Section 136-66.2(d), revisions in the area's Comprehensive Transportation Plan must be jointly approved by the Greater Hickory Metropolitan Planning Organization and the North Carolina Department of Transportation).; and
6. Review and approval of the Greater Hickory Metropolitan Planning Organization Metropolitan Transportation Improvement Program (MTIP) for multi-modal capital and operating expenditures to ensure coordination between local and State capital and operating improvement programs.

## ARTICLE IV – MEMBERS

### **Section 1 – Number and Qualifications:**

As specified in the Memorandum of Understanding, the MPO shall consist of voting members that are elected officials from the Hickory Urbanized Area and the North Carolina Board of Transportation. Nonvoting members shall be the Division Administrator (or his designee) from Federal Highway Administration and the Chair (or his designee) from the Unifour Rural Planning Organization TAC.

### **Section 2 – Terms of Office:**

Each local government member shall designate that member entity's representative. Members shall remain in office until a successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

### **Section 3 – Alternates:**

Each member agency may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. That alternate member may serve as a full voting member during any meeting where that board's representative is not in attendance.

## ARTICLE IV – OFFICERS

### **Section 1 – Officers Defined:**

The officers of the MPO shall consist of a Chair and Vice-Chair.

### **Section 2 – Elections:**

The Chair and Vice-Chair shall be elected and can remain in office until a successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law. The newly elected Chair and Vice-Chair shall take office immediately following the election. The Chair must have served as an MPO member (delegate or alternate) for one year immediately prior.

Additional elections may be held if either the Chair or Vice-Chair cannot carryout his/her duties and complete the remainder of the appointed term.

### **Section 3 – Terms of Office:**

The term of office for officers shall be two years. Elections shall be held every two years and officers may serve consecutive two-year terms.

### **Section 4 – Duties of Officers:**

The Chair shall call and preside at meetings, sub committees and set the order of business for each meeting. In the Chair's absence, the Vice-Chair shall preside and complete all other duties of the Chair. In the event that the Chair is unable to carryout his/her duties for the remainder of their term, the Vice-Chair shall carryout the functions of the Chair until a new election is held.

### **Section 5 – Duties of the Secretary:**

Western Piedmont Council of Government's Transportation Manager will serve as Secretary and shall provide or otherwise delegate staff service for the MPO, as needed, and will be responsible for taking summary minutes of the Committee's proceedings. The Secretary will maintain a current copy of these Bylaws as an addendum to the Memorandum of Understanding, to be distributed to the public upon request.

## ARTICLE V – MEETINGS

### **Section 1 – Regular Meetings:**

Meetings will be held on the fourth Wednesday of evenly numbered months. The Chair may cancel regular meetings should there be insufficient business on the Committee's tentative agenda.

## **Section 2 – Special Meetings:**

Special meetings may be called by the Chair with three (3) day's notice, or at the request of the majority of the eligible voting members. Whenever possible, at least seven (7) days notice shall be given.

## **Section 3 – Quorums:**

~~A quorum of the MPO shall be constituted by the presence of at least fifteen (15) of the eligible voting members at the beginning of the meeting, who together represent a minimum of 51% of the votes.~~

A simple majority of the eligible voting members or their alternates shall constitute a quorum. If a quorum does not exist no action shall be taken on any agenda item by the TAC.

All official business, including voting, should be conducted within a meeting with a 51%, or simple majority, quorum based on members as listed in the Memorandum of Understanding and/or Bylaws. An alternate may be appointed to attend meetings should the member not be able to attend. Alternates should be identified by position in the bylaws and by name in the membership roster. Vacant seats as defined in the bylaws will not count against the quorum. Electronic meetings are allowed as long as public notice is given and a location for listening to the meeting is provided.

## **Section 4 – Attendance:**

~~Each member shall be expected to attend each regular meeting. When voting members (or their authorized alternates) do not attend three (3) consecutive MPO meetings, the MPO Coordinator/Secretary will send to the chief elected officer of the jurisdiction of the member in question, a letter indicating the number of absences and requesting reaffirmation or re-designation of the jurisdiction's representative.~~

Each member or their designated alternate shall be expected to attend each regular meeting and each special meeting provided that at least three (3) days notice is given. Any member who fails to attend, or fails to make arrangements for an alternate to attend, two (2) consecutive meetings will be designated as occupying a vacant seat which will not count towards a quorum. Attendance at the next scheduled meeting will reinstate the member. Notice of designation of a vacant seat shall be forwarded to the appointing agency or jurisdiction prior to a vacant seat designation.

## **Section 5 – Agenda:**

The agenda is a list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous MPO meetings, or are placed on the agenda prior to its distribution by any member of the MPO, or by the request of the Chair of TCC. Additional items may be placed on the regular agenda following discussion of the last item on the regular agenda, as long as a majority concurrence of the present and eligible voting members is received.

The MPO and all sub-committees shall conduct their business in compliance with the State of North Carolina's Open Meetings Law.

### **Section 6 – Voting Procedures:**

The Chair and/or any member may call for a vote on any issue, provided that it is seconded and within the purposes set forth in Article II. After a motion is seconded, a ~~minimum of 51%~~ simple majority of the quorum present must approve the motion before it passes.

The Chair, voting members or qualified alternates to voting members are permitted to vote. Non-voting members and unauthorized alternates are not permitted to vote. Abstentions shall be considered affirmative votes.

By approval of the MPO, a member may withdraw from voting on an issue. In the absence of any direction from these Bylaws or other duly adopted voting procedures pursuant to certain approval actions. *Robert's Rules of Order, Newly Revised* will designate procedures governing voting.

No secret ballot voting is allowed under North Carolina Law. Email voting is not allowed, however, written ballots are allowed provided they are signed by each voter and included in the meeting record after the vote is taken. Written ballots shall be available for public inspection immediately following the meeting at which the written vote took place until the minutes of the meeting are approved.

## ARTICLE VI – PARLIAMENTARY PROCEDURES

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the MPO in all cases to which they are applicable and in which they are not inconsistent with the *Memorandum of Understanding*, these bylaws and any special rules of order the MPO may adopt.

## ARTICLE VII – AMENDMENTS TO BYLAWS

Amendments to these Bylaws of the MPO shall require the affirmative vote of at least two-thirds of the total MPO's vote, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is to be considered and provided that such amendment does not conflict with the letter or fundamental intent of the *Memorandum of Understanding* governing this document. In the event of any conflict, the *Memorandum of Understanding* shall carry precedence over these Bylaws.