

Land-of-Sky Rural Transportation Planning Organization Rural Transportation Advisory Committee By-Laws

ARTICLE I-NAME

The name of this committee shall be the Rural Transportation Advisory Committee (TAC), hereinafter referred to as the TAC, as part of the Land-of-Sky Rural Transportation Planning Organization, hereinafter referred to as the LOSRPO.

ARTICLE II-PURPOSE

The purpose and goals of this committee shall be to:

1. To develop long-range local and regional multi-modal transportation plans in cooperation with the French Broad River MPO and the North Carolina Department of Transportation;
2. To provide a forum for public participation in the rural transportation planning process;
3. To develop and prioritize suggestions for transportation projects that the Rural Transportation Planning Organization believes should be included in the State Transportation Improvement Program;
4. To provide transportation-related information to local governments and other interested organizations and persons;
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations;
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

ARTICLE III-MEMBERS

Section 1-Membership:

As specified in the LOSRPO Memorandum of Understanding (MOU) between the LOSRPO and North Carolina Department of Transportation (NCDOT), the TAC shall consist of officials from local and state governmental agencies directly related to and concerned with the transportation planning process for the LOSRPO planning area, which includes Buncombe, Haywood, Madison, and Transylvania counties, as well as the incorporated municipalities within each County that are members of the LOSRPO. The initial voting membership shall include the following members:

- One County Commissioner representing the County of Buncombe; and one municipal elected official to represent all participating municipal governments;
- One County Commissioner representing the County of Haywood, and one municipal elected official to represent all participating municipal governments;
- One County Commissioner representing the County of Madison, and one municipal elected official to represent all participating municipal governments;
- One County Commissioner representing the County of Transylvania, and one municipal elected official to represent all participating municipal governments;
- One member from the North Carolina Board of Transportation representing Division 13 or 14.

The following people may participate in the meetings. These people will not count in the quorum or in voting.

- Technical Coordinating Committee (TCC) Chairman or his/her designated representative
- Land-of-Sky Regional Council Executive Committee representative
- MPO TAC representatives
- Chamber of Commerce representatives from the Land-of-Sky RPO member counties and/or municipalities
- The NCDOT Division 13 and 14 Engineers or his/her representatives
- The NCDOT Transportation Planning Branch Engineer assigned to the Land-of-Sky RPO or his/her representative

Other local agencies, upon filing a request, will be informed of all meetings of the TAC and may attend meetings. Members to the TAC may be altered on the basis of a majority vote of its membership.

Section 2-Alternates:

One alternate may be designated for each member providing they meet the same criteria as the original appointee. That alternate may serve as a full voting member during any meeting where the board's primary representative is not in attendance. Absentee voting will not be permitted.

Section 3-Term of Membership:

Term of office for all seats on the TAC is one year. Re-appointment is possible. To facilitate staggered terms and thereby promote continuity, the initial appointments (county and municipal) from Buncombe and Haywood County to the TAC shall be for one (1) year. All subsequent appointments shall be for one years.

ARTICLE IV-OFFICERS

Section 1-Officers Defined:

The officers of the TAC shall consist of a Chairman and a Vice-Chairman serving annual terms, but limited to two (2) consecutive terms. They will be elected by a majority vote of the eligible members. The Land-of-Sky Regional Council (LOSRC) Transportation Planner, as staff to the LOSRPO, shall act as Secretary to the TAC.

Section 2-Duties of Officers:

2.1 The Chairman shall call meetings of the TAC to order, and shall act as presiding officer of such meetings. The Chairman shall see that all orders and action items, including amendments, are carried into effect. The Chairman will:

- Sign all official documents of the TAC.
- Preside at all meetings of the TAC.
- Decide all points of order or procedure.
- Transmit all recommendations of the TAC to NCDOT.
- With assistance from the LOSRC Transportation Planner, draft the meeting agendas and make said available to the TAC members in a timely manner.

2.2 The Vice-Chairman shall conduct the duties of the Chairman in the event of the Chairman's absence.

2.3 The administrative coordination for the TAC shall be performed by the LOSRC Transportation Planner, as staff for the LOSRPO. The LOSRC Transportation Planner shall:

- Keep minutes of the TAC meetings in proper form for the approval of the TAC at its next regular meeting.
- Mail notices of regular meetings of the TAC, with a copy of the agenda, in accordance with Article V of these rules.
- Give notice of special meetings called in accordance with North Carolina Open Meeting Law.
- Maintain all files, records, and correspondence of the TAC.

2.4 Should neither the Chairman nor Vice-Chairman be able to preside at a meeting, the TAC shall appoint a Chairman Pro-Tem for that meeting or until such time the Chairman or Vice-Chairman can resume their responsibilities. Should the Secretary be unable to attend a meeting, the Chairman of the TAC shall appoint an acting secretary to record and prepare the minutes.

ARTICLE V-MEETINGS

Section 1-Regular Meetings:

The TAC shall meet when it is deemed necessary, appropriate, and advisable. The TAC shall meet on an as needed (on-call) basis as determined by the Chairman of the TAC and at a time to be determined by the Chairman of the TAC. Meeting notice and agenda are to be mailed no later than seven (7) days prior to a determined TAC meeting date. The Chairman may cancel regular meetings should there be insufficient items on the TAC's tentative agenda.

Section 2-Special Meetings:

Special meetings may be called by the Chairman, or at the request of a majority of eligible voting members of the TAC petitioning the Chairman. Whenever possible, at least seven (7) days notice shall be given.

Section 3-Workshops:

The TAC may choose to hold workshops from time to time. Notification of all workshops shall be mailed to TAC members in the same manner as regular meetings of the TAC.

Section 4-Attendance:

TAC members are expected to attend each regular meeting and each special meeting of the TAC provided that at least seven (7) days notice is given. Any member who fails to attend, or make arrangements for an alternate to attend, two (2) consecutive meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member. Notice that a TAC member has failed to attend two (2) or more consecutive meetings shall be forward to the appointing agency or jurisdiction prior to a vacant seat designation.

Section 5-Quorum:

A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the TAC, plus as many additional members as may be required to ensure that 51% of possible votes are present. If a quorum does not exist, no action shall be taken on any agenda item by the TAC.

Section 6-Agenda:

The agenda is a list of considerations for discussion at a meeting. Any member of the TAC can place items on the agenda prior to its distribution, by notifying the TAC Chairman and/or the LOSRPO Transportation Planner. Additional items may be placed on the regular agenda at the beginning of the TAC meeting on the date of the meeting, if approved by a majority vote of the present and eligible voting members.

Section 7-Voting Procedures:

The Chairman may call for a vote on any issue, provided that it is seconded and within the purposes set forth in Article II and provided the issue is on the agenda as outlined in Section 5 of this article. A quorum of 51% of the TAC is required to call for a vote. Each voting member of the TAC shall normally have one (1) vote in the deliberations of the TAC except when a weighted vote is called. A weighted vote may be called by any member. In weighted voting procedures, each person entitled to vote shall have one (1) vote, except each county member shall cast two (2) votes. A simple majority vote of the members (or their authorized alternates) present and eligible to vote per the MOU shall be sufficient for approval of matters coming before the TAC.

The Chairman is permitted to vote. Ad-hoc, proxy, and absentee voting are not permitted. Abstentions shall be considered affirmative votes. By approval of the TAC, a member may withdraw from voting on an issue.

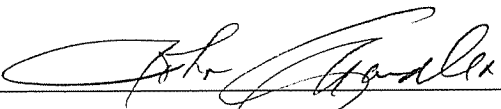
ARTICLE VI-ROBERT'S RULES OF ORDER

In the absence of any direction from these By-Laws or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting.

ARTICLE VI-AMENDMENTS TO BY-LAWS

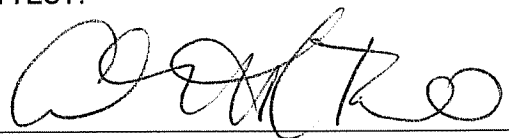
Amendments to these By-Laws shall require the affirmative vote of at least two-thirds of the TAC's eligible voting members, provided that written notice of the proposed amendment has been mailed seven (7) days prior to the meeting at which the amendment is to be considered and provided that such amendment does not conflict with the letter or fundamental intent of the Memorandum of Understanding (MOU) for the LOSRPO, which is the governing document for these By-Laws. In the event of any conflict, the MOU shall carry precedence over these By-Laws.

The Land-of-Sky RPO Transportation Advisory Committee (TAC) approved these By-Laws on March 17, 2006. Amended this 20 day of March, 2009.



John Chandler, Chairman, Land-of-Sky RPO TAC

ATTEST:



Caroline Runser-Turner, Secretary, Land-of-Sky RPO TAC

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Jimmy Harris, Vice Chairman, Land-of-Sky RPO TAC
Lynn Bullock

ATTEST:

Caroline Runser-Turner, Secretary, Land-of-Sky RPO TAC