

N.C. CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION

EXECUTIVE BOARD

BYLAWS

(January 18, 2017)

ARTICLE I - NAME

The name of this organization shall be the Capital Area Metropolitan Planning Organization Executive Board.

ARTICLE II - PURPOSE

The purpose and goals of the Executive Board shall be:

- To develop and direct a continuing, comprehensive transportation planning process carried on cooperatively by the State and local communities in concurrence with Federal guidelines.
- To advise the policy boards of local government members of the Capital Area Metropolitan Planning Organization on the status of needs identified through the continuing transportation planning process.
- To facilitate coordination and communication between local policy boards and agencies represented on the Executive Board and the Technical Coordinating Committee (TCC).
- To facilitate coordination between the local policy boards of the members of the Capital Area Metropolitan Planning Organization and the North Carolina Board of Transportation.
- To assist the general public in understanding decisions and policies of the policy boards.
- 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 (Agreement No.12-16-93), the responsibilities of this committee shall include:

- Establishment of goals and objectives for the transportation planning process.
- Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- Review and approval of changes to the Urbanized Area Boundary, and the Metropolitan Area Boundary, as well as review and make recommendations for changes to the National Highway System;
- Review and approval of the annual Capital Area Metropolitan Planning Organization Unified Planning Work Program (UPWP);
- Review and approval of changes to the adopted Capital Area Metropolitan Planning Organization Long-Range Comprehensive Transportation Plan. (As required by General Statutes Section 136-66.2(d), revisions in the area's thoroughfare plan must be jointly approved by the local governing board having jurisdiction and the North Carolina Department of Transportation). And,
- Review and approval of the Capital Area Metropolitan Planning Organization Transportation Improvement Program (TIP) for multimodal capital and operating expenditures to insure 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 (Agreement No.12-16-93), the Executive Board shall include as voting members:

The membership of the **Executive Board**

- One member of the Angier Town Council
- One member of the Apex Town Council
- One member of the Archer Lodge Town Council
- One member of the Bunn Town Council
- One member of the Cary Town Council
- One member of the Clayton Town Council
- One member of the Creedmoor Board of Commissioners
- One member of the Franklinton Town Board of Commissioners
- One member of the Fuquay-Varina Town Board of Commissioners
- One member of the Garner Board of Aldermen
- One member of the Holly Springs Town Council
- One member of the Knightdale Town Council
- One member of the Morrisville Town Council
- One member of the Raleigh City Council
- One member of the Rolesville Town Board of Commissioners
- One member of the Wake Forest Town Board of Commissioners
- One member of the Wendell Town Board of Commissioners
- One member of the Youngsville Town Board of Commissioners
- One member of the Zebulon Town Board of Commissioners
- One member of the Franklin County Board of Commissioners
- One member of the Granville County Board of Commissioners
- One member of the Harnett County Board of Commissioners
- One member of the Johnston County Board of Commissioners
- One member of the Wake County Board of Commissioners
- Three members of the North Carolina Board of Transportation representing the Highway Divisions (currently 4, 5, and 6) within the Metropolitan Planning Area
- One member of Triangle Transit
- One member of the NC Turnpike Authority, *ex-officio non-voting member*
- One member of the Butner Town Council, *ex-officio non-voting member*;
- One member of the Louisburg Town Council, *ex-officio non-voting member*; and
- The Division Administrator of the Federal Highway Administration or his or her representative who shall serve as an advisory, *ex officio non-voting member*.

Section 2 - Terms of Office:

Members of the Executive Board shall be designated by the local governing boards or agencies that they represent. Members shall remain in office until (1) their designation has been rescinded by their respective local governing board; (2) their local governing board has designated a duly qualified replacement member, or (3) their membership in their respective local governing board has ceased. It is recommended that the appointed Executive Board member be the jurisdictional Mayor, the County Commission Chair, or a senior member of the Board, Council or Commission.

Section 3 - Alternates

Each member local government policy board may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. The alternate member may serve as a full voting member during any meeting where that board's representative is not in attendance. Proxy and absentee voting are not permitted.

Section 4 - Standing

Member jurisdictions that regularly attend scheduled meetings of the Executive Board, per Article VI, Section 4 – Attendance, have complied with all requirements of the State Ethics Act pertaining to MPO Executive Board members, and are up-to-date in payments of member dues are considered to be in good standing.

ARTICLE V - OFFICERS

Section 1 - Officers Defined:

The officers of the Executive Board shall consist of a Chairman and Vice-Chairman, to be elected by the members of the Executive Board.

Section 2 - Elections:

The Chairman and Vice-Chairman shall be elected annually at the first regularly scheduled meeting of the calendar year. The newly elected Chairman and Vice-Chairman shall take office immediately following the election.

Section 3 - Terms of Office:

The term of office for officers shall be one year. Officers may serve successive terms but shall be limited to three (3) successive terms. Each officer shall hold office until his/her successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

Section 4 - Duties of Officers:

The Chairman shall call and preside at meetings and appoint committees. The Chairman shall appoint a staff member to serve as Clerk of the Committee. The Clerk shall provide or otherwise delegate staff service for the Executive Board, as needed, and will be responsible for taking summary minutes of the Committee's proceedings. The Clerk shall maintain a current copy of these Bylaws as an addendum to the Memorandum of Understanding, to be distributed to the public upon request.

In the absence of the Chairman, the Vice-Chairman shall preside and complete all other duties of the Chairman.

ARTICLE VI -- MEETINGS

Section 1 - Regular Meetings:

Meetings will be held monthly on the third Wednesday of the month. Meeting notices and agendas are to be mailed in sufficient time for them to have been received by each committee member at least seven (7) days prior to the meeting. Unless otherwise stated, all meetings will begin at 4:00 pm. Regular meetings may be canceled by the Chairman should there be insufficient business on the Board's tentative agenda.

Section 2 - Special Meetings:

Special meetings may be called by the Chairman with seven (7) days notice, or at the request of the majority of the eligible voting members. Whenever possible, at least four (4) days notice shall be given.

Section 3 - Quorums:

A quorum of the Executive Board shall consist of greater than fifty percent (50% +1) of voting members in good standing who together represent a minimum of one more than fifty percent (50% +1) of the total optional weighted votes of members in good standing (see Section 6).

Section 4 - Attendance:

Each member shall be expected to attend each regular meeting and each special meeting provided at least four (4) days notice is provided. For members not attending three (3) consecutive Executive Board meetings, the Chairman 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 redesignation of the jurisdiction's representative. Members will be considered non-voting members for the purpose of determining a quorum, and considered to be 'not in good standing' as of the third meeting. A member's or alternate's voting privileges will be reinstated at the first Executive Board meeting he/she attends.

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 Executive Board meetings, or are placed on the agenda prior to its distribution by any member of the Executive Board, by request from any jurisdiction or agency party to the Memorandum of Understanding, or by the request of the Chairman of the Technical Coordinating Committee. 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.

Section 6 - Voting Procedures:

The Chairman and any member 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. As specified in the Memorandum of Understanding, a majority vote of the voting membership shall be sufficient for approval of matters coming before the Executive Board with the exception that an Executive Board member may invoke the following weighted voting procedures on any matter. The weighted voting procedures shall be approved annually at the first regularly scheduled meeting of the calendar year.

WEIGHTED VOTING SCHEDULE
(to be updated periodically)

<u>Local Governing Body</u>	<u>Votes</u>
Angier	1
Apex	5
Archer Lodge	1
Bunn	1
Cary	15
Clayton	2
Creedmoor	1
Franklinton	1
Fuquay-Varina	3
Garner	3
Holly Springs	4
Knightdale	2
Morrisville	3
Raleigh	44
Rolesville	1
Wake Forest	4
Wendell	1
Youngsville	1
Zebulon	1
Franklin County	4
Granville County ^b	2
Harnett County ^b	2
Johnston County ^b	9
Wake County ^b	21
GoTriangle ^c	1
<u>N. C. Board of Transportation^d</u>	<u>3</u>
TOTAL	131

- a Each member local government has been apportioned weighted voting based on the most recent Certified NC Population Estimates utilizing a vote weighting formula of one vote for each 10,000 population, or portion thereof.
- b County populations are the estimated persons within the Metropolitan Area Boundary including the area within the Municipalities' Extraterritorial jurisdictions assigned by the County but outside the corporate limits of the Municipalities.
- c The GoTriangle Board of Trustees shall appoint one member to represent regional transit interests on the Executive Board, and that member shall count as one vote.
- d One vote per member

The Chairman, voting members, and qualified alternates 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 Executive Board, 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 will designate procedures governing voting.

ARTICLE VII - AMENDMENTS TO BYLAWS:

Amendments to these Bylaws of the Executive Board shall require the affirmative vote of eligible voting members who together represent at least two-thirds of the weighted 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.

These Bylaws were originally approved by the Capital Area Metropolitan Planning Organization Transportation Advisory Committee (now Executive Board) on July 8, 1993.

INFORMATION ON AMENDMENTS:

DATE APPROVED:

DESCRIPTION OF AMENDMENT:

January 18, 2017

Global

Changed name of Transportation Advisory Committee (TAC) to Executive Board

New Adoption Date: January 18, 2017

Article IV – Members

Section 1 – Number and Qualifications

Added one member from the Archer Lodge Town Council
Corrected Morrisville’s governing body to Town Council from Town Board of Commissioners

Clarified non-voting status of members from NC Turnpike Authority, Butner Town Council, Louisburg Town Council, and Federal Highway Administration.

Section 4 – Standing

Added requirement that member jurisdictions’ members must have complied with all requirements of the State Ethics Act pertaining to MPO Executive Board members in order to be considered to be in good standing.

Deleted the statement that members not in good standing would be subject to a penalty for project funding.

Article V – Officers

Section 3 – Terms of Office

Terms of office for Officers was expanded to be limited to three (3) successive one-year terms, instead of two (2) successive one-year terms.

Article VI – Meetings

Weighted Voting Schedule

Weighted voting schedule was updated to reflect latest population estimates. Votes for Apex increased from 4 to 5; votes for Archer Lodge increased from 0 to 1; votes for Cary increased from 14 to 15; votes for Fuquay-Varina increased from 2 to 3; votes for Holly Springs increased from 3 to 4; votes for Morrisville increased from 2 to 3; votes for Raleigh increased from 41 to 44; votes for Wake Forest increased from 3 to 4; votes for Johnston County increased from 7 to 9; votes for Wake County increased from 19 to 21.

Updated name of Triangle Transit Authority to GoTriangle Board of Trustees.

February 15, 2012

Article IV – Members

Section I - Number and Qualification of Members

Modified Triangle Transit Authority to Triangle Transit

Added NC Turnpike Authority as Ex Officio member
Added Towns of Archer Lodge, Butner and Louisburg as Ex Officio members

Section 2 – Terms of Office

Added – It is recommended that the TAC member be the jurisdictional Mayor, the County Commisison Chair, or a senior member of the Board, Council or Commission.

Added Section 4 - Standing

Added - Member jurisdictions that regularly attend scheduled meetings of the TAC and are up-to-date in payments of member dues are considered to be in good standing. Member jurisdictions not in good standing will be subject to a penalty for project funding.

Article V – Officers

Section 3 – Terms of Office

Added - but shall be limited to two (2) successive terms.

Article VI – Meetings

Section 2 – Special Meetings

Added - Whenever possible four (4) days notice shall be given

Section 3 – Quorum

Changed quorum requirements to greater than fifty percent (50% +1) of voting members in good standing ... total optional weighted votes of members in good standing

Section 4 – Attendance

Changed 7 day notice for meetings/special meetings to 4 days

Added - Members will be considered non-voting members for the purpose of determining a quorum, and considered to be 'not in good standing' as of the third meeting. A member's or alternate's voting privileges will be reinstated at the first TAC meeting he/she attends.

Section 6 – Voting Procedures:

Updated weighted voting schedule

Changed apportionment source to current Certified NC Population Estimates

Update note from Wake to all county population

Added note for NCBOT - One vote per member

Revised - The Chairman, voting members, and qualified alternates are permitted to vote.

January 18, 2006

Change quorum requirements from seven (7) to fourteen (14);

add: Cities/Towns of Angier, Bunn, Clayton, Creedmoor, Franklinton and Youngsville, and counties of Franklin, Granville, Harnett, and Johnston; adjust weighted voting based on latest NC Certified Population Estimates.

November 18, 1998

Change quorum requirements from eight (8) to seven (7).

April 16, 1997

Change TAC Meeting date and time to the third Wednesday of the month at 4:00 pm.

January 16, 1997

Add Rolesville, Wendell and Zebulon as per MOU (Agrmt. # 12-16-93).