

**BYLAWS  
GASTON - CLEVELAND - LINCOLN  
METROPOLITAN PLANNING ORGANIZATION (MPO) BOARD**

**ARTICLE I: NAME**

The name of this organization will be the *Metropolitan Planning Organization (MPO) Board*. When exercising its role as the representative body of the participating governing boards within the mutually adopted Metropolitan Planning Area, the organization shall be called the *Gaston - Cleveland - Lincoln Metropolitan Planning Organization (MPO)*.

**ARTICLE II: PURPOSE**

The purpose and goals of this committee will be in conformance with the current *Memorandum of Understanding* and includes:

1. The development and direction of a continuing comprehensive transportation planning process carried on cooperatively by the state of North Carolina, through its Department of Transportation, and local communities in the Metropolitan Planning Area in conformance with Federal guidelines for transportation planning.
2. Facilitating the coordination between the policy boards of local governments in the Metropolitan Planning Area and the North Carolina Board of Transportation. The MPO Board will act as the principal forum for cooperative decision-making for elected officials of this area in cooperation with the state of North Carolina on transportation matters, thereby fulfilling the requirements for a cooperative planning process.
3. Advising the policy boards of the status and needs identified through the continuing planning process. The MPO Board develops and endorses planning and programming documents such as the Comprehensive Transportation Plan (CTP), Metropolitan Transportation Improvement Program (MTIP), Metropolitan Transportation Plan (MTP), and Unified Planning Work Program (UPWP).
4. Assisting in the dissemination and clarification of the decisions, inclinations and policies of the respective boards through the development of a coordinated multimodal transportation program.
5. Acting as the lead planning organization for transportation related air quality planning.
6. To act as the primary policy body in transportation planning in those program areas where the North Carolina Board of Transportation's specific concurrence is not required by Federal or State law.

**ARTICLE III: MEMBERS**

**Section 1 - Numbers and Qualifications:**

Membership of the MPO Board shall consist of those specified in the *Memorandum of Understanding*. Chief Elected Officers of member agencies will appoint representatives and alternates to serve in the absence of an appointed representative. Voting member representatives and their alternates shall be elected officials only.

## **Section 2 - Terms:**

With the exception of the representative of the North Carolina Board of Transportation, appointments to the MPO Board shall be made by the governing board in conformance with their own local procedure. Membership on the MPO Board shall not be effective until the respective Chief Elected Officer has sent written notification of the appointment(s) to the Secretary of the MPO Board along with the contact information for the appointee(s). The Board of Transportation's representative shall be a member of the North Carolina Board of Transportation representing the district(s) for which the Metropolitan Planning Area is a part, and shall be appointed by the North Carolina Secretary of Transportation.

## **ARTICLE IV: OFFICERS**

### **Section 1 - Officers Defined:**

The officers of the MPO Board shall consist of Chair and Vice-Chair. The MPO Coordinating Planner in the Lead Planning Agency (LPA), or their appointee, shall serve as Secretary to the MPO Board. Alternates of voting member representatives and non-voting members shall not be elected as an officer.

### **Section 2 - Duties:**

The *Chair* is the principal representative of the Gaston - Cleveland - Lincoln MPO concerning Federal, State and local transportation matters. In addition, the Chair's duties include:

- calling and presiding at meetings,
- setting public hearing or meeting dates,
- appointing sub-committees and acting as an ex-officio member of the appointed sub-committees,
- setting the order of business for each meeting,
- approving minor budget amendments of the Unified Planning Work Program (UPWP) that will not change the scope of the UPWP and do not exceed 5% of the total local area budget for the UPWP, and
- authenticating by signature the official documents of the MPO Board.

In the absence of the Chair, the Vice-Chair shall preside. In the event that the Chair is unable to carry out his or her duties for the remainder of their term, the Vice-Chair shall carry out the functions of the Chair for the remainder of the year. The representatives from Gastonia shall not serve as Chair and Vice-Chair of the MPO Board during the same term of office.

### *Executive Committee*

A three (3) member Executive Committee with one (1) municipal or county representative from each GCLMPO member county is hereby authorized to make changes in this program that do not materially affect the scope of this Unified Planning Work Program (UPWP) and is further authorized to make budget changes to this UPWP not to exceed 10 percent (10%) of the total budget approved by the state of North Carolina Department of Transportation (DOT) without prior consultation with the Board.

The *Secretary* will be the recording officer and custodian of the MPO Board and its sub-committees' records. The Secretary shall provide staff services for the committee, as needed and will maintain a current copy of the Bylaws as an addendum to the Memorandum of Understanding to be distributed to the public on request. The Secretary shall maintain an accurate record of the membership of the MPO Board and its sub-committees, will send out the notice of all meetings, and conduct the general correspondence of the MPO Board. In the absence of the Chair and the Vice-Chair, the Chair will appoint a Board member as Chair pro-tem. (**Amended** 3-23-17)

### **Section 3 - Elections:**

Officers shall be elected annually from the members of the MPO Board at the first regular meeting of the calendar year. This should be the first agenda item, after which the newly elected Chair and Vice-Chair shall take office.

A nominating committee may be created to prepare a slate of officers. The current Technical Coordinating Committee (hereafter referred to as TCC) Chair and MPO Board Secretary shall be responsible for working with the MPO Board Chair in the creation of the nominating committee. The nominating committee should be prepared to present the proposed candidates by the first meeting of the calendar year.

**Section 4 - Terms of Office:** The Chair and Vice-Chair term of office shall be one year with successive terms permitted. When the Chair is elected from a member local government from either Cleveland, Gaston or Lincoln counties, the Vice Chair shall be elected from a member local government from one of the other two counties. The Officers shall hold office no more than two consecutive Terms. Upon completion of two consecutive terms, a new Chair shall be elected from one of the other two counties. (**Amended** 5-25-17)

## **ARTICLE V: MEETINGS**

### **Section 1 - Regular Meetings:**

The first meeting of the calendar year will be in January. Meetings shall be held bi-monthly on the fourth Tuesday of each month. The Secretary of the MPO Board shall present an annual calendar of meetings at the first MPO Board meeting of the calendar year that will be endorsed by the MPO Board as its schedule for meetings.

### **Section 2 - Special Meetings:**

Special meetings may be called by the Chair or at the request of a majority of the MPO Board. The purpose of the meeting shall be stated in the call, with no other agenda items permissible. At least forty-eight (48) hours notice will be given.

### **Section 3 - Quorums:**

A quorum is constituted by the presence of at least fifty percent (50%) of the voting members from local municipalities and counties, as listed in the *Memorandum of Understanding*. The North Carolina Board of Transportation member and all non-voting members shall not count toward the quorum.

### **Section 4 - Attendance:**

Each voting member representative and/or his or her alternate shall be expected to attend each meeting.

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

### **Section 5 – Good Standing**

A voting member is not in Good Standing if its representative or alternate has failed to attend three (3) consecutive meetings, provided notice has been given in accordance with Section 4. Upon the third absence of a member, the Chair will send to the Chief Administrative Officer of the jurisdiction or agency of the member in question a letter indicating the number of absences and requesting that the individual be instructed to attend. A member that is not in Good Standing because of absences will automatically become in Good Standing when its representative attends two (2) successive meetings.

A voting member is not in Good Standing if that member has not paid its portion of the local match share of the Unified Planning Work Program for three quarters, successive or not, per the *Memorandum of Understanding*. A member that is not in Good Standing because of non-payment will automatically become in Good Standing upon remitting payment for the three unpaid quarters and most recent quarter.

### **Section 6 - Agenda:**

The agenda is the list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous MPO Board meetings, or are placed on the agenda prior to its distribution by any member of the MPO Board, by request from any jurisdiction party to the *Memorandum of Understanding*, or by request of the Chair of the Technical Coordinating Committee (TCC) or the Secretary to the MPO Board. 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 eligible voting members present at any meeting is received. The agenda shall be set at the beginning of each meeting by a majority vote of the MPO Board.

Items may be placed on the agenda by citizens with a simple majority vote of the eligible voting members present at any meeting. Also, an opportunity for public comment will be included on the agenda for each meeting with the amount of time allocated for each speaker to be established at the beginning of each meeting.

### **Section 7 - Voting Procedures:**

The Chair 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 and provided the issue is on the agenda as outlined in Section 6 of this article. Each representative (or alternate) of a voting member in Good Standing shall have one (1) vote, and a majority vote of the members present shall constitute approval of any resolution. The Chair is permitted to vote, but non-voting members are not. Abstentions are not permitted. Members may ask to be excused from voting on an issue provided that there is a legitimate conflict of interest and the MPO Board votes that the member be excused. In the absence of any direction from the Bylaws, the UNC School of Government's *Suggested Rules of Procedure for Small Local Governmnet Boards* will designate procedures governing voting.

## **ARTICLE VI: PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of UNC School of Government's *Suggested Rules of Procedure for Small Local Governmnet Boards* shall govern the MPO Board 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 Board may adopt.

## **ARTICLE VII: AMENDMENTS TO BYLAWS**

Amendments to the Bylaws of the MPO Board shall require the affirmative vote of at least fifty percent (50%) of the representatives or their alternates in Good Standing (as outlined in the *Memorandum of Understanding*) provided, however, that written notice of the proposed Amendment has been sent to each member of the committee at least one (1) week 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. The *Memorandum of Understanding* shall carry precedence over the Bylaws of the MPO Board in the event of any conflict.