

MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION

BY LAWS

Amended September 2003

ARTICLE I – NAME

The name of this organization shall be the Mecklenburg-Union 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 Mecklenburg-Union 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 Mecklenburg-Union 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 Mecklenburg-Union Metropolitan Planning Organization Unified Planning Work Program (UPWP);
5. Review and approval of changes to the adopted Mecklenburg-Union 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
6. Review and approval of the Mecklenburg-Union 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 Mecklenburg-Union Metropolitan Urbanized Area and the North Carolina Board of Transportation. Nonvoting members shall be those from the Charlotte-Mecklenburg and Union County Planning Commissions and any jurisdiction in the Urbanized Area with less than 5,000 population.

Section 2 – Terms of Office:

Each entity's chief elected official 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. Proxy and absentee voting are not permitted.

ARTICLE IV – OFFICERS

Section 1 – Officers Defined:

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

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. 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 Chairman or Vice-Chairman 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 one year. Officers may serve no more than three consecutive one-year terms. This does not prohibit them from being elected to a future term. Time served in officer positions prior to calendar year 2002 shall not be considered in determining eligibility.

Section 4 – Duties of Officers:

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

Section 5 – Duties of the Secretary:

The Secretary 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 third Wednesday of each odd numbered month. The Chairman 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 Chairman with three (3) days 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 seven (7) of the eligible voting members at the beginning of the meeting, who together represent a minimum of 51% of the votes.

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 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.

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 Chairman 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 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.

The Chairman and 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.

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 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.