

BY-LAWS  
FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION ADVISORY COMMITTEE

ARTICLE I - NAME

The name of this organization shall be the French Broad River Transportation Advisory Committee, hereinafter referred to as the "TAC."

ARTICLE II - PURPOSE

As outlined in the Memorandum of Understanding dated August 21, 2003, the Transportation Advisory Committee is established to:

1. Provide a forum for continuing, cooperative, and comprehensive transportation planning decision making for the French Broad River Metropolitan Planning Organization (FBRMPO);
2. Keep policy boards and agencies represented by the FBRMPO informed of the status and requirements of the transportation planning process;
3. Assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and to
4. Ensure meaningful citizen participation in the transportation planning process.

The Transportation Advisory Committee will be responsible for carrying out the provisions of US 23 U.S.C. 134; and Sections 5(1) and 8(a) and 8(c) of the Federal Transit Act of 1964 as amended, 49 U.S.C. 1604(1) and 1607(a) and 1607(c); including:

- a) Review and approval of the transportation Planning Work Program;
- b) Review and approval of the Transportation Improvement Program for multi-modal capital and operating expenditures and to ensure coordination between local and State capital and operating improvement programs;
- c) Endorsement, review and approval of changes to the transportation plan. As required by General Statutes Section 136-66.2(d), revisions in the State and the local Long Range Transportation Plan must be jointly approved by the local governing boards and the North Carolina Department of Transportation;
- d) Endorsement, review and approval of changes to the Federal Highway System and Federal Urban Area Boundary;
- e) Endorsement, 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;
- f) Endorsement, review and approval of a Congestion Management Report;
- g) Establishment of goals and objectives for the transportation planning process; and

- h) Development and approval of committee bylaws for the purpose of establishing a quorum and operating policies and procedures.

#### ARTICLE III - MEMBERS

##### Section 1. Number and Qualifications:

The membership of the Transportation Advisory Committee shall include as specified in the Memorandum of Understanding dated August 21, 2003, the following:

- Two members of the Asheville City Council;
- Two members of the Buncombe County Commission;
- Two members of the Haywood County Commission;
- Two members of the Henderson County Commission;
- One member of the Black Mountain Board of Aldermen;
- One member of the Biltmore Forest Board of Commissioners;
- One member of the Town of Canton Council;
- One member of the Town of Clyde Council;
- One member of the Village of Flat Rock Village Council
- One member of the Town of Fletcher Town Council;
- One member of the City of Hendersonville City Council;
- One member of the Town of Laurel Park Town Council;
- One member of the Town of Maggie Valley Town Council;
- One member of the Town of Mills River Town Council;
- One member of the Montreat Board of Commissioners;
- One member of the Town of Waynesville Town Council;
- One member of the Weaverville Town Council;
- One member of the Woodfin Board of Aldermen;
- One Division 13 Representative of the North Carolina Board of Transportation;
- One Division 14 Representative of the North Carolina Board of Transportation; and
- The Division Administrator, Federal Highway Administration or his/her representative (non-voting)

##### Section 2. Terms:

With the exception of the representative of the North Carolina Board of Transportation and the Federal Highway Administration, appointments to the TAC shall be made by the Mayor/Chairman or other such chief elected officer of each of the aforementioned jurisdictions for an unlimited length term or until the TAC is terminated, whichever is first. In addition, the chief elected official for each jurisdiction shall appoint an alternate to the TAC. The alternate must possess the same qualifications as the member. The Board of Transportation representative shall be appointed by the North Carolina Secretary of Transportation.

## ARTICLE IV - OFFICERS

### Section 1. Officers Defined:

The officers of the TAC shall consist of a Chairperson and a Vice-Chairperson elected by the members of the committee.

### Section 2. Duties:

The Chairperson shall be responsible for calling and presiding at meetings and appointing committees. In the absence of the Chairperson, the Vice-Chairperson shall preside and carry out all other duties of the Chairperson.

### Section 3. Elections:

Officers shall be elected every two years from the appointed elected members at the first meeting of the calendar year of the TAC, as the first agenda item, after which the newly elected Chairman and Vice-Chairman shall take office.

*The procedure for Elections of Chair and vice Chair shall be as follows:*

- 1. The TAC Chairperson will appoint a nominating committee of three persons, one from each of the three counties. The committee shall meet soon enough to ensure that its recommendations get into the hands of the TAC members at least two weeks before the meeting in which the election will be held.*
- 2. The nominating committee will recommend at least two persons for each position.*
- 3. Additional nominations may be made from the floor, provided that the nominator has approval from the nominee.*
- 4. The election for Chairperson will be held first to allow the loser(s) an opportunity to be considered for the position of Vice-Chairperson.*
- 5. The successful candidate will need to receive a majority of the votes cast. If more than two candidates are being considered, and none has a majority in the first vote, there will be a runoff election between the two top vote getters.*

### Section 4. Limit on Terms:

Officers may be re-elected for subsequent terms, but not to exceed two consecutive terms. *In the event that the Chairperson is unable to complete the two year term, the Vice-Chair will automatically become the Chair unless he or she is unwilling to assume that position in which case another election shall be held. Elections to replace the Chair or Vice Chair as needed shall follow the same procedure as outlined in Section 3 above. The new officer shall be elected by the membership to complete the term or for a two year period according to the descretion of the membership.*

## ARTICLE V - MEETINGS

### Section 1. Regular Meetings:

Meetings shall be held a minimum of quarterly.

### Section 2. Special Meetings:

Special meetings may be called by the Chairperson or at the request of a majority of the members. The purpose of the meeting shall be stated in the call, with no other agenda items permissible. At least seven (7) days notice shall be given.

### Section 3. Quorums:

A quorum is constituted by the presence of representatives from at least 9 of the local jurisdictions or their alternates.

### Section 4. Attendance:

Each member shall be expected to attend each meeting, provided at least 15 days notice is given or furnished. In the event that a member is unable to attend, the appointed alternate may attend and participate in his/her absence. If neither a member nor an alternate is able to attend, then the jurisdiction may appoint another elected official as a proxy provided that written notice is given to the MPO staff prior to the meeting.

The general public is permitted to attend all meetings.

### Section 5. Agenda:

The agenda is the list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous TAC meetings, or are placed on the agenda prior to its distribution by any member of the TAC, by request from any jurisdiction party to the Memorandum of Understanding, or by request of the Chairperson of the 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 eligible voting members attendant at any meeting is received. Items may be placed on the agenda by citizens with two-thirds (2/3) concurrence by eligible voting committee members present at any meeting.

### Section 6. Voting Procedures:

The Chairperson 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. Each member of the committee shall have one vote, and a majority vote of those present and voting shall constitute approval of any resolution. The Chairperson is permitted to vote, but advisory members are not. Abstentions are not included in the tally of the vote. In the absence of any direction from the Bylaws, Roberts Rules of Order will designate procedures governing voting.

## ARTICLE VI - AMENDMENTS TO BYLAWS

Amendments to the Bylaws of the TAC shall require the affirmative vote of a majority of the members of the committee provided that written notice of the proposed Amendment has been sent to each member of the committee at least one 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 the transportation planning process. Written, absentee votes will be permitted on the issue of amendments to these Bylaws. The Memorandum of Understanding shall carry precedence over the Bylaws of the TAC in the event of any conflict.

These Bylaws were adopted by the

French Borad River Metropolitan Planning Organization Transportation Advisory Committee

on January 15, 2004.

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CHAIRPERSON, TAC