

BY-LAWS  
FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION  
TECHNICAL COORDINATING COMMITTEE

ARTICLE I - NAME

The name of this organization shall be the French Broad River Metropolitan Planning Organization Technical Coordinating Committee, hereinafter referred to as the "TCC."

ARTICLE II - PURPOSES

As outlined in the Memorandum of Understanding dated August 21, 2003, the purpose and goals of this committee shall be:

1. To provide general review, guidance, and coordination of the continuing, coordinated, and comprehensive transportation planning process for the Planning Area.
2. To prepare recommendations to the respective local and state governmental agencies and the Transportation Advisory Committee regarding any necessary actions relating to the continuing transportation planning process.
3. To coordinate transportation planning with other planning efforts especially Air Quality, Public Utilities, and General Land Use.
4. To develop, review, and recommend for approval such documents as the Prospectus, Planning Work Program (PWP), Transportation Improvement Program (TIP), Federal Urban Systems, the Long Range Transportation Plan, the Congestion Management Report, and other documents or studies requiring approval by the TAC.

ARTICLE III - MEMBERS

Section 1. Number and Qualifications:

The TCC shall include appointed representatives and/or staff as voting members from:

1. The City of Asheville;
2. Buncombe County;
3. Haywood County;
4. Henderson County;
5. The Town of Black Mountain;
6. The Town of Biltmore Forest;
7. The Town of Canton;
8. The Town of Clyde;
9. The Village of Flat Rock;

10. The Town of Fletcher;
11. The City of Hendersonville;
12. The Town of Laurel Park;
13. The Town of Maggie Valley;
14. The Town of Mills River;
15. The Town of Montreat;
16. The Town of Waynesville;
17. The Town of Weaverville;
18. The Town of Woodfin;
19. NCDOT Division 13;
20. NCDOT Division 14;
21. NCDOT Statewide Planning Branch;
22. Division 13 and 14 representative on the Statewide Bicycle Committee;
23. Land-of-Sky Regional Council RPO;
24. Apple Country Transportation
25. Asheville Transit Services
26. Haywood County Transit Services
27. Mountain Mobility

The TCC shall include appointed representatives and/or staff as non-voting members from:

- ✍ Southwestern Commission (Region A)
- ✍ Land-of-Sky Regional Council (Region B)
- ✍ Asheville Regional Airport
- ✍ NCDOT Public Transportation Division
- ✍ Federal Highway Administration
- ✍ WNC Air Quality Agency

The TCC may add or subtract voting or non-voting members by majority vote of the Committee's membership, amending the By-Laws accordingly.

#### Section 2. Alternates:

A member of the TCC shall appoint an alternate if he/she is unable to regularly attend the TCC meetings. That alternate may serve as a full voting member during any meeting where the regular voting member is absent. A member of the TCC may appoint a proxy as long as the proxy's role is explained at the beginning of the meeting. Absentee voting is not permitted except as noted under Article VI to amend By-Laws.

## ARTICLE IV - OFFICERS

### Section 1. Officers Defined:

The officers of the TCC 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. The meetings shall be held at least two weeks prior to the regular Transportation Advisory Committee Meetings except in the case if a special or joint meeting is called.

### Section 2. Special Meetings:

Special meetings may be called by the Chairperson or at the request of a majority of the members. 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 or proxies, and at least 4 of the non-jurisdictional members who are eligible to vote or their alternates or proxies. For the purpose of a quorum, transit providers are counted as non-jurisdictional, voting members and cannot count as representatives of local governments.

### Section 4. Attendance:

Each member is expected to attend each meeting, provided at least seven days notice is given or furnished. In the event that a member is unable to attend, that member may designate an alternate or proxy to attend and participate provided the alternate meets the same qualifications for membership.

### Section 5. Agenda

The agenda is the list of consideration for discussion at a meeting. Items on the agenda originate as a carryover from previous TCC meetings, or are placed on the agenda prior to its distribution by any member of the TCC, 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 present at any meeting is received. Items may be placed on the agenda by citizens with two-thirds 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. 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 TCC shall require the affirmative vote of at least two-thirds (2/3) members of the committee provided, however, 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 TCC in the event of any conflict.

These Bylaws were adopted by the Technical Coordinating Committee on January 15, 2004.

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CHAIRPERSON