

**BYLAWS  
GASTON URBAN AREA  
TRANSPORTATION ADVISORY COMMITTEE (TAC)**

**Article I: Name**

The name of this organization will be the *Gaston Urban Area Transportation Advisory Committee (TAC)*. When exercising its role as the representative body of the participating governing boards, within the mutually adopted Metropolitan Area Boundary of Gaston County, the organization shall be called the *Gaston Urban Area 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 Gaston County in conformance with Federal guidelines for transportation planning within the Gaston Metropolitan Area.
2. Facilitating the coordination between the policy boards of the Gaston Metropolitan Area and the North Carolina Board of Transportation. The TAC will act as the principal forum for cooperative decision making for elected officials of this urban 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 TAC develops and endorses planning and programming documents such as the Gaston Urbanized Area Transportation Improvement Program (TIP) and Planning Work Program (PWP) and annually endorses the Gaston Urbanized Area Transportation Plan.
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 air quality maintenance and being responsible 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:**

The Committee shall consist of those specified in the *Memorandum of Understanding*. Each jurisdiction will appoint one alternate to serve in the absence of an appointed representative. The TAC may accept representatives of other local agencies involved in transportation-related activities to serve in a non-voting advisory capacity.

### **Section 2 - Terms:**

With the exception of the representative of the North Carolina Board of Transportation, appointments to the TAC shall be made by the governing board in conformance with their own local procedure. Membership on the TAC shall not be effective until the respective Mayor or Chair shall have sent written notification of the appointment to the Secretary of the TAC along with the member's mailing address and daytime phone number. The Board of Transportation's representative shall be a member of the North Carolina Board of Transportation representing the district for which Gaston County 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 TAC shall consist of Chair and a Vice-Chair. The Chair and Vice-Chair will be elected by the members of the TAC annually at the first scheduled meeting of each calendar year. The Director of Planning in the Lead Planning Agency (LPA), or their appointee, shall serve as Secretary to the TAC. Ex-Officio members shall not be elected as an officer.

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

The Chair is the principal representative of the Gaston Urban Area 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 Planning Work Program (PWP) that will not change the scope of the PWP and does not exceed 5% of the total local area budget for the PWP.
- authenticating by signature the official documents of the TAC, and
- serving as a member of the Executive Committee.

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 Vice-Chair will serve as a member of the Executive Committee. The representatives from Gastonia shall not serve as Chair and Vice-Chair of the TAC during the same term of office.

The Secretary will be the recording officer and custodian of the TAC's and its sub-committee's 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 TAC and its sub-committees, will send out the notice of all meetings, and conduct the general correspondence of the TAC. In the absence of the Chair or the two Vice-Chair, the Secretary shall call the meeting to order and preside until the immediate election of a Chair pro tem.

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

Officers shall be elected annually from the members of the TAC 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 TAC Secretary shall be responsible for working with the TAC 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 shall not serve more than four consecutive, one-year terms, unless by majority vote of the TAC, that the Chair or Vice-Chair may continue their office for one additional, one-year term as seen necessary. This does not prohibit them from being elected again in the future but they may not succeed themselves. Ex-Officio members shall not be elected as an officer.

## **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 TAC shall present an annual calendar of meetings at the first TAC meeting of the calendar year that will be endorsed by the TAC 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 Executive Committee. The purpose of the meeting shall be stated in the call, with no other agenda items permissible. At least 48 hours notice will be given.

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

A quorum is constituted by the presence of at least fifty percent (50%) of the representatives as listed in the *Memorandum of Understanding*. Ex-officio members shall not count toward the quorum.

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

Each member and/or their alternate shall be expected to attend each meeting. For members not attending three consecutive meetings, the Chair 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. All sub-committees of the TAC shall conduct their business in compliance with the State of North Carolina's Open Meetings Law.

### **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 Chair of the Technical Coordinating Committee (TCC) or the Secretary to the TAC. 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 TAC.

Items may be placed on the agenda by citizens with a simple majority vote of the eligible voting committee 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 6 - 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 5 of this article. Each eligible voting member shall have one vote, and a majority vote of the members present shall constitute approval of any resolution. The Chair is permitted to vote, but ex-officio 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 TAC votes that the member be excused. In the absence of any direction from the Bylaws, *Robert's Rules of Order* will designate procedures governing voting.

## **Article VI - Executive Committee**

### **Section 1 - Composition:**

The Executive Committee shall be composed of the Chair and Vice- Chair of the TAC, the representative from the North Carolina Board of Transportation, a TAC representative from the City of Gastonia and the TAC representative from Gaston County. If Gastonia or Gaston County is currently serving as a TAC officer, the vacant seat will be filled by a representative from the jurisdictions that are not currently serving as a TAC officer. This permits for a permanent representation of the smaller jurisdictions on the Executive Committee. This representative for the non-permanent members shall be elected at the same time as the officers of the TAC to serve on this committee.

### **Section 2 - Powers and Duties**

The Executive Committee shall have general supervision of the affairs of the TAC between business meetings, fix the hour and place of meetings of the TAC and the Executive Committee, make recommendations to the TAC, request studies to be conducted through the TCC and Lead Planning Agency, and perform other duties as requested by a vote of the TAC. The Executive Committee shall be entrusted with administrative authority to act on behalf of the TAC when it is not convenient for the TAC to meet and may approve PWP and TIP amendments on behalf of the TAC until such time as the TAC can meet. The Executive Committee shall serve as the chief sub-committee concerning regional transportation matters. The Chair of the TAC or his or her designee will make a report at the first TAC meeting following an Executive Committee meeting of any actions taken by the Executive Committee. The Executive Committee shall be subject to the orders of the MPO and its TAC, and none of its acts shall conflict with the intent of the *Memorandum of Understanding*, these Bylaws, or actions taken by the MPO or TAC.

### **Section 3 - Meetings**

Meetings may be called by the Chair of the TAC. Meetings may also be called upon the receipt of two written requests from members of the Executive Committee by the Secretary to the TAC.

### **Article VII - Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order* shall govern the TAC 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 TAC may adopt.

### **Article VIII - Amendments to Bylaws**

Amendments to the Bylaws of the TAC shall require the affirmative vote of at least fifty percent (50%) of the representatives (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 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 TAC in the event of any conflict.

Amended November 28, 2006