

**Down East Rural Transportation Planning Organization (RPO)  
Rural Transportation Advisory Committee (RTAC) Bylaws  
Revised \_\_\_\_\_**

**ARTICLE I - NAME; ENABLING STATUTORY AUTHORITY**

The name of this committee shall be the Down East RPO Rural Transportation Advisory Committee, (hereinafter referred to as the RTAC). This committee is established pursuant to the authority set forth in Article 17, Chapter 136 of the North Carolina General Statutes.

**ARTICLE II - PURPOSE**

The purpose and goals of this committee as set forth in the Amended Memorandum of Understanding for Cooperative, Comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization for Carteret, Craven, Jones, Onslow, and Pamlico Counties and the Participating Municipalities Therein, and the North Carolina Department of Transportation dated December 2, 2002 (hereinafter referred to as "DERPO MOU") shall be to:

1. develop long-range local and regional multi-modal transportation plans in cooperation with the area Metropolitan Planning Organizations (hereinafter referred to as "MPOs") and the North Carolina Department of Transportation (hereinafter referred to as "NCDOT");
2. provide a forum for public participation in the rural transportation planning process;
3. develop and prioritize suggestions for transportation projects that the RPO believes should be included in the State Transportation Improvement Program;
4. provide transportation-related information to local governments and other interested organizations and persons;
5. conduct transportation-related studies and surveys for local governments and other interested entities/organizations; and
6. undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

**ARTICLE III - MEMBERS**

**Section 1 - Membership:**

As specified in the DERPO MOU, the RTAC shall consist of elected officials from local governments and other governmental agencies directly related to and concerned with the transportation planning process for the Down East RPO planning area, which includes Carteret,

Craven, Jones, Onslow and Pamlico Counties, as well as the incorporated municipalities within each county that are members of the Down East RPO. Membership is defined in the DEPRO MOU and subsequent bylaws with specific appointees and alternates for each member government listed in the RPO membership roster, to be updated no less than on an annual basis. The initial voting membership shall include members appointed to the following seats:

- One County Commissioner representing the County of Carteret
- One municipal elected official to represent the interest of the participating municipal local governments in Carteret County
- One County Commissioner representing the County of Craven
- One municipal elected official to represent the interest of all the participating municipal local governments in Craven County, excluding municipalities represented by the New Bern Metropolitan Planning Organization (City of New Bern, Town of Bridgeton, Town of River Bend, and Town of Trent Woods)
- One County Commissioner representing the County of Jones
- One municipal elected official to represent the interest of all the participating municipal local governments in Jones County
- One County Commissioner representing the County of Onslow
- One municipal elected official to represent the interest of all the municipal local governments in Onslow County, excluding the City of Jacksonville, which is represented by the Jacksonville Urban Area Metropolitan Planning Organization
- One County Commissioner representing the County of Pamlico
- One municipal elected official to represent the interest of all the participating municipal local governments in Pamlico County
- One member of the North Carolina Board of Transportation in the Down East RPO region

In order to participate as a member of the RTAC, individuals appointed to these seats and/or their alternates must meet all qualifications established by the DERPO MOU, these bylaws, and state or federal regulations establishing minimum requirements for membership, including the North Carolina Ethics Commission. In any case, when one of the voting members cannot meet these requirements, that seat will be considered vacant and will not be counted towards quorum. The RTAC Chair shall contact said member to discuss consideration of a replacement member for that seat. Subsequent compliance will allow the voting member to be automatically reinstated.

## **Section 2 - Term of Membership:**

The term of office for all seats on the RTAC is two years. Re-appointment is possible. To facilitate staggered terms and thereby promote continuity, the initial county commissioner appointments from Carteret, Craven, Jones, Onslow, and Pamlico Counties to the RTAC shall be for two years, and the initial municipal appointments shall be for one year. All subsequent appointments shall be for two years. Counties are requested to make their new appointments to the RTAC by January of the new year. Vacancies to the RTAC shall be filled in the manner in which the original appointment was made.

## **Section 3 - Ex Officio Membership:**

Ex officio seats shall include, but not be limited to, the following:

- A representative from the New Bern Metropolitan Planning Organization's Transportation Advisory Committee
- A representative from the Jacksonville Urban Area Metropolitan Planning Organization's Transportation Advisory Committee
- A representative of Marine Corps Base Camp Lejeune
- A representative of Marine Corps Air Station Cherry Point
- All Division 2 and Division 3 NCDOT Board of Transportation representatives that are not full voting members of the RTAC

Ex officio members in the Down East RPO will be advisory and non-voting.

## **Section 4 - Alternates:**

Each member may appoint an alternate to the seat as reflected in the membership roster, who meets the same membership qualifications as the member (hereinafter referred to as "Designated Alternate"). The Designated Alternate may serve as a full voting member during any meeting where that seat's primary representative is not in attendance. Absentee voting will not be permitted.

# **ARTICLE IV - OFFICERS**

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

The officers of the RTAC shall consist of a Chair and a Vice-Chair serving annual terms of one year. These offices are limited to two consecutive terms. They will be elected by majority of the eligible voting membership. The Director of the Eastern Carolina Council or their designee shall serve as Secretary RTAC.

## **Section 2 - Duties of Officers:**

**2.1** The Chair shall call meetings of the RTAC to order and shall act as presiding officer of such meetings. The Chair shall see that all orders and action items, including amendments, are carried into effect. The Chair will:

- sign all official documents of the RTAC;
- preside at all meetings of the RTAC;
- decide all points of order or procedure;
- transmit all recommendations of the RTAC to NCDOT; and
- with assistance from the Secretary, draft the meeting agendas and make same available to the RTAC members in a timely manner.

**2.2** The Vice-Chair shall conduct the duties of the Chair in the event of the Chair's absence or unavailability.

**2.3** The administrative coordination for the RTAC shall be performed by the RPO Coordinator/ECC Transportation Planner of the Eastern Carolina Council. The RPO Coordinator/ECC Transportation Planner shall serve as Secretary of the RTAC and report to the Chair of the RTAC. The Secretary shall:

- keep minutes of the RTAC meetings in proper form for the approval of the RTAC at its next regular meeting;
- send notices of regular meetings of the RTAC, with a copy of the agenda, in accordance with Article V of these rules; give notice of regular and special meetings called in accordance with North Carolina Open Meetings Law; and
- maintain all files, records, and correspondence of the RTAC.

**2.4** Should neither the Chair nor Vice-Chair be able to preside at a meeting, the RTAC shall appoint a Chair Pro-Tem for that meeting or until such time the Chair or Vice-Chair can resume their responsibilities.

**2.5** The Chair and Vice-Chair shall be elected annually at the first regularly scheduled meeting of the calendar year. Additional elections may be held if either the Chair or Vice-Chair cannot carry out his/her duties or complete the remainder of their appointed term.

## ARTICLE V - MEETINGS

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

A meeting will be held on the fourth Tuesday of every January, March, May, July, September, and November. Meeting notices and agendas are to be sent no later than seven days prior to the meeting date. The Chairman may cancel regular meetings should there be insufficient items on the RTAC's tentative agenda. The RTAC may meet on an as needed (on-call) basis as determined by the Chair of the RTAC and at a time to be determined by the Chair of the RTAC.

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

Special meetings may be called by the Chair, or at the request of three eligible voting members of the RTAC petitioning the Chair. Notice of special meetings shall be given in accordance with Open Meetings Law of the North Carolina General Statutes.

### **Section 3 - Workshops:**

The RTAC may choose to hold workshops from time to time. Notification of all workshops shall be sent to RTAC members in the same manner as regular meetings of the RTAC.

### **Section 4 - Quorum Requirement:**

A quorum of at least fifty-one percent (51%) of the voting membership shall be required for the RTAC to take official action of any kind. A member who fails to attend or to send an alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.

### **Section 5 - Attendance:**

RTAC members are expected to attend each regular meeting and each special meeting of the RTAC. If an RTAC member is unable to attend a meeting, the member to be absent shall give notice to the RPO Coordinator/ECC Transportation Planner. Should a member fail to attend, or make arrangements for a Designated Alternate to attend, fifty percent (50%) or more of the scheduled meetings in any one calendar year period, the RTAC Chair shall contact the appointing entity to discuss consideration of a replacement member for the seat for that unit of government or organization. If an RTAC member and/or their Designated Alternate miss two consecutive RTAC meetings, that seat is considered to be vacant and does not count towards the number required for a quorum. If that member later attends a RTAC meeting, the seat is active again and is counted toward the quorum until and unless the member or his Designated Alternate miss two consecutive RTAC meetings, in which case the seat will again become vacant. If a new member is appointed to a seat considered to be vacant, that member does not count towards quorum until he or she attends a meeting.

## **Section 6 - Agenda:**

The agenda is a list of items for consideration and discussion at a meeting. Any member of the RTAC may request that items be placed on the agenda prior to its distribution by notifying the RTAC Chair and the RPO Coordinator/ECC Transportation Planner. Additional items may be placed on the regular agenda at the beginning of the meeting on the date of the meeting, if approved by a majority vote of the present and eligible voting members.

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

The Chair 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. A majority vote of the members (or their authorized Designated Alternates) present and eligible to vote shall be sufficient for approval of matters coming before the RTAC. The Chair is permitted to vote. Ad-hoc, proxy, and absentee voting are not permitted. Abstentions shall be considered affirmative votes. By approval of the RTAC, a member may withdraw from voting on an issue. As stated in Article III, Section 1 each member has one vote.

RTCC review and comment is required prior to any vote affecting the Planning Work Program (hereinafter referred to as "PWP").

In the event of a tie, where the Chair has already voted, the Chair cannot vote again to break the tie and the motion does not pass.

## **ARTICLE VI - ROBERT'S RULES OF ORDER**

In the absence of any direction from these Bylaws or other duly adopted voting procedures pursuant to certain approval actions, the UNC School of Government's Suggested Procedural Rules for Local Appointed Boards will govern procedures for voting.

## **ARTICLE VII - AMENDMENTS TO BY-LAWS**

Amendments to these Bylaws shall require the affirmative vote of at least two-thirds of the RTAC's eligible voting members, provided that written notice of the proposed amendment has been distributed seven 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 DERPO MOU, which is the governing document for these Bylaws. In the event of any conflict, the terms of the DEPRO MOU shall take precedence over these Bylaws.

The Down East RPO Rural Transportation Advisory Committee (RTAC) originally approved these Bylaws on January 28, 2003. The Bylaws were amended on September 28, 2004; January 24, 2006; May 26, 2009; and \_\_\_\_\_.

**SIGNATORY:**

\_\_\_\_\_  
Chair  
Down East RPO RTAC

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Secretary  
Down East RPO RTAC

\_\_\_\_\_  
Date