

# Lumber River Rural Transportation Planning Organization Transportation Advisory Committee By-Laws

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## ARTICLE I-NAME

The name of this committee shall be the Lumber River RTPO Transportation Advisory Committee, hereinafter referred to as the TAC.

## ARTICLE II-PURPOSE

The purpose and goals of this committee shall be to:

- Review and adopt the Lumber River RTPO Prospectus and Planning Work Program (PWP).
- Establish goals, priorities, and objectives for the rural transportation planning process in the Lumber River RTPO area.
- Coordinate work efforts with the Transportation Coordinating Committee (TCC) in meeting the transportation and economic development needs of the Lumber River RTPO area. Review the developed and prioritized suggestions for transportation projects submitted by the TCC.
- Recommend to the NCDOT those transportation projects the Lumber River RTPO believes should be included in the State Transportation Improvement Plan (TIP).
- Develop and amend as necessary the Lumber River RTPO Long Range Transportation Plan.
- Make recommendations to the respective local, state, and federal governmental agencies regarding any necessary actions relating to the continuing transportation planning process.
- Review and recommend to the North Carolina Department of Transportation (NCDOT) changes to Transportation Plans for the units of government in the Lumber River RTPO area.
- Provide a forum for public participation in the rural transportation planning process.

## ARTICLE III-MEMBERS

### **Section 1-Membership:**

As specified in the Memorandum of Understanding (MOU), the TAC shall consist of elected officials from local governmental agencies of the Lumber River planning area (which includes Hoke, Richmond, Robeson, and Scotland Counties, and the participating incorporated municipalities within each County) as well as one board member of the North Carolina Department of Transportation. The initial voting membership shall include the following 12 members:

- One (1) Hoke County Commissioner
- One (1) elected official representing the municipal interests of Hoke County
- One (1) Richmond County Commissioner
- One (1) elected official representing the municipal interests of Richmond County

- Three (3) Robeson County Commissioners
- Two (2) elected officials representing the municipal interests of Robeson County
- One (1) elected official representing the municipal interests of Scotland County
- One (1) Scotland County Commissioner
- One (1) NC-DOT Board of Transportation Member

Appointment of the municipal TAC representatives shall be made by the respective Board of County Commissioners, upon nominations from the participating municipalities in the manner as described in the MOU.

Other local agencies, upon filing a request, will be informed of all meetings of the TAC and may attend meetings. Alteration of membership to the TAC shall require the affirmative vote of at least two-thirds of the TAC's eligible voting membership.

**Section 2-Alternates:**

Each member agency may appoint an alternate to its representative, provided each alternate also meets the same qualifications of membership. That alternate 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.

**Section 3-Term of Membership:**

The term of office for all county and municipal seats on the TAC is two years (initial appointments shall expire on June 30, 2004). Re-appointment is possible.

**ARTICLE IV-OFFICERS**

**Section 1-Officers Defined:**

The officers of the TAC will consist of a Chairman and a Vice-Chairman serving annual terms, but limited to two consecutive terms.

**Section 2-Duties of Officers:**

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

- Sign all official documents of the TAC.
- Preside at all meetings of the TAC.
- Decide all points of order or procedure.
- Transmit all recommendations of the TAC to NCDOT.
- With assistance from the Lumber River COG Transportation Planner, draft the meeting agendas and make said available to the TAC members in a timely manner.

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

**2.3** The administrative coordination for the TAC shall be performed by the Lumber River COG Rural Transportation Planner, as staff and Secretary to the Lumber River RTPO. The Secretary shall:

- Ensure that minutes of the TAC meetings are kept in proper form for the approval of the TAC at its next regular meeting.
- Mail notices of regular meetings of the TAC, with a copy of the agenda, in accordance with Article V of these rules.

- Give notice of special meetings called in accordance with NC Open Meeting Law.
- Maintain all files, records, and correspondence of the TAC.

2.4 Should neither the Chairman nor Vice-Chairman be able to preside at a meeting, the TAC shall appoint an acting Chairman for that meeting only or until such time the Chairman or Vice-Chairman can resume their responsibilities. Should the Secretary be unable to attend a meeting, the Chairman of the TAC shall appoint an acting secretary to record and prepare the minutes.

## ARTICLE V-MEETINGS

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

Regular meetings will be held bimonthly, on the fourth Monday of each odd numbered month (January, March, May, July, September, and November). Unless otherwise stated, all meetings will begin at 12 Noon. Members will be notified of regular meetings at least seven (7) days prior to the meeting date. Agendas are to be mailed in sufficient time to have been received by each committee member, no later than three (3) days prior to the meeting date. The schedule of regular meeting dates will also be posted in accordance with the Open Meetings Laws of the North Carolina General Statutes. The Chairman may cancel regular meetings should there be insufficient business on the TAC's tentative agenda.

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

Special meetings may be called by the Chairman, or at the request of three (3) eligible voting members petitioning the Chairman. Notice of special meetings shall be given in accordance with Open Meeting Laws of the North Carolina General Statutes.

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

The TAC may choose to hold workshops from time to time. All workshops shall be noticed in the manner as regular meetings of the TAC.

### **Section 4-Attendance and Good Standing:**

Each member shall be expected to attend each regular meeting and each special meeting provided at least seven (7) days notice is given.

Good standing for each member shall be maintained through regular attendance at meetings. Following two consecutive absences, a member's seat shall be declared vacant, and shall not be counted toward a quorum. Good standing shall be automatically restored upon a member's attendance at a meeting. A replacement member may be requested following a vote of the Committee following the loss of good standing.

### **Section 5-Agenda:**

The agenda is a list of considerations for discussion at a meeting. Any member of the TAC can place items on the agenda prior to its distribution by contacting the Secretary. Additional items may be placed on the regular agenda following discussion of the last item on the regular agenda, if approved by a majority vote of the present and eligible voting members.

### **Section 6-Voting Procedures:**

The Chairman 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 voting member of the TAC shall have one (1) vote. A majority vote of the members (or their authorized alternates) present and eligible to vote shall be sufficient for approval of matters coming before the TAC.

The Chairman is permitted to vote. In the event of a tie, where the Chairman has already voted, the motion does not pass. Abstentions on issues requiring a vote is permitted, provided members desiring to abstain, obtain approval by the TAC for said abstention by a majority vote of the TAC members present. Any member present and not voting shall be recorded as a positive vote on the motion. In the absence of any direction from these By-Laws or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting.

**Section 7-Quorum**

A quorum of at least 51% of voting members must be present for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting public business. Positions that are vacant do not count when determining the number of members needed to reach a quorum.

**ARTICLE VI-AMENDMENTS TO BY-LAWS**

Amendments to these By-Laws of the TAC shall require the affirmative vote of at least two-thirds of the TAC's eligible voting members, 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 (MOU) governing this document. In the event of any conflict, the MOU shall carry precedence over these By-Laws.

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**The Lumber River RTPO Transportation Advisory Committee approved these By-Laws on February 13, 2003.**

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**The following was amended and approved by the TAC on July 18, 2006.**

1. Article V - Meetings
  - Section 1 – Regular Meetings
  - Section 4 – Attendance
  - Section 7 – Quorum

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**The following was amended and approved by the TAC on July 26, 2021.**

1. Article V - Meetings
  - Section 4 – Attendance and Good Standing
    - Amendment – additional text added: "Attendance may be achieved through direct presence at the meeting location, teleconferencing, or other electronic means."*