

# **NEW BERN AREA METROPOLITAN PLANNING ORGANIZATION (NBAMPO)**

## **TECHNICAL COORDINATING COMMITTEE BYLAWS**

### ARTICLE I – NAME

The name of this organization shall be the New Bern Area Metropolitan Planning Organization Technical Coordinating Committee, hereinafter referred to as the "TCC."

### ARTICLE II – PURPOSE

As outlined in the Memorandum of Understanding dated March, 2013, the purpose and goals of the TCC shall be:

1. To provide general review, guidance and coordination of the continuing, cooperative, comprehensive transportation planning process for the planning area of the New Bern Area Metropolitan Planning Organization (NBAMPO).
2. To make recommendations to the respective local, State, and Federal governmental agencies and the Transportation Advisory Committee (TAC) regarding any necessary actions relating to the continuing transportation planning process.
3. Be responsible for the development, review and recommendations for the Prospectus, Unified Planning Work Program, Transportation Improvement Program, Urbanized Area Boundary, Metropolitan Planning Area, Federal-Aid Functional Classification System, Comprehensive Transportation Plan (CTP), and Metropolitan Transportation Plan.
4. Responsible for promoting citizen participation in the planning process and preparing documentation reports for transportation studies.

### ARTICLE III – MEMBERS

#### **Section 1 – Number and Qualifications:**

As specified in the Memorandum of Understanding dated February 2013, the Technical Coordinating Committee shall include technical representative from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area

The voting membership shall comprise the following:

Director of Development Services, City of New Bern  
Assistant County Manager, Craven County  
Town Manager, Town of River Bend  
Zoning Administrator, Town of Bridgeton  
Town Clerk, Town of Trent Woods  
Executive Director, New Bern Chamber of Commerce  
Planning & Inspections Director, Craven County  
Director of Public Works, City of New Bern  
Director, Coastal Carolina Regional Airport  
Director, Craven Area Rural Transit Service (CARTS)  
Transportation Planning Branch, NCDOT  
Division 2 Division Engineer, NCDOT  
Division 2 Planning Engineer, NCDOT  
Division 2 Corridor Division Engineer, NCDOT

Additionally, the following will serve as advisory, non-voting members:

Division 2 Traffic Engineer, NCDOT  
Integrated Mobility Division, NCDOT Transportation Engineer  
Eastern Region Mobility & Safety Field Operations Engineer, NCDOT  
Down East Rural Planning Organization  
Marine Corps Liaison, Government and External Relations (G7)  
FHWA, Eastern Preconstruction and Environment Engineer (Divs. 3, 6 and 8)  
Chief Officer of Systems and Operations, Craven County Schools

### **Section 2 – Terms of Office:**

There shall be no limitation on the length of time members may serve on the TCC subject to the authorization to do so by their respective agencies' chief administrative officers (CAO).

### **Section 3 – Alternates:**

Each member agency shall appoint an alternate to its representative. That alternate member may serve as a full voting member during any meeting where that agency's representative is not in attendance. An alternate must have the same qualifications as the member. Proxy and absentee voting are not permitted.

## ARTICLE IV – OFFICERS

### **Section 1 – Officers Defined**

The officers of the TCC shall consist of a Chairperson, and Vice-Chairperson, to be elected by the members of the TCC. A member of the staff of the New Bern Development Services Department shall serve as Secretary to the Committee. The Secretary shall maintain a current copy of these Bylaws as an addendum to the Memorandum of Understanding, to be distributed to the public upon request.

### **Section 2 – Duties of Officers**

The Chairperson shall call and preside at meetings and appoint committees. In the absence of the Chairperson, the Vice-Chairperson shall preside and carry out all other duties of the Chairperson.

### **Section 3 – Elections**

The Chairperson and Vice-Chairperson shall be elected annually at the first regularly scheduled meeting of the calendar year. The newly elected Chairperson and Vice-Chairperson shall take office immediately following the election. Additional elections may be held if either the Chairperson or Vice-Chairperson cannot carry out his/her duties nor complete the remainder of their appointed term.

Nominations for Chairperson and Vice-Chairperson be made from the floor, provided that the nominator has approval from the nominee. Upon motion and second that nominations be closed; the current Chairperson will then call for a vote on the nominees. The successful candidate will need to receive a majority of the votes cast.

### **Section 4 – Terms of Office**

The term of office for officers shall be one year. Officers may serve successive terms. Each officer shall hold office until a successor has been duly elected or until his/her death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

## ARTICLE V – MEETINGS

### **Section 1 – Regular Meetings**

Meetings will be held once every two months or when deemed appropriate and advisable. Meeting notices and agendas are to be mailed in sufficient time for them to have been received by each committee member no later than seven (7) days prior to the meeting date. If there is insufficient business for a regularly scheduled meeting, as determined by the Chairperson, the Secretary will notify the TCC members of the meeting's cancellation.

### **Section 2 – Special Meetings**

Special meetings may be called by the Chairperson with 48-hours' notice, or at the

request of the majority of the eligible voting. Whenever possible, at least seven (7) days' notice shall be given.

### **Section 3 – Virtual Meetings**

Any TCC meeting may be conducted solely by one or more means of remote communication through which all Members may participate with each other during the meeting, if the number of Members participating in the meeting would be sufficient to constitute a quorum. Participation in a meeting by that means constitutes presence in person at the meeting.

Virtual meetings will be hosted by the MPO staff liaison who will create and send the meeting invitation to all Board members as well as interested parties. This meeting invitation will also be published on NBAMPO's website to comply with open meeting laws of North Carolina and to allow for a public comment period.

The staff liaison will conduct a roll call for attendance at the beginning of each meeting. Before speaking, making a motion or seconding a motion, the person should state their name. After a motion and second has been made, the Chairperson should call a roll call vote.

### **Section 4 – Quorums**

A quorum is required for the transaction of all business, including conducting meetings, participation in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of fifty-one percent (51%) of the voting members of the TCC, excluding those who are considered inactive in accordance with Section 5 below.

### **Section 5 – Attendance**

Each voting member shall be expected to attend each regular meeting and each special meeting in accordance with Article V, Section 1 and 2. Subject to his/her member agency's chief executive officer's approval, a member may appoint an alternate to serve in his/her absence, provided that the member informs the Secretary of the Committee prior to the meeting which the alternate will attend. This notification shall authorize the alternate to vote in the member's absence.

If a TCC member does not attend or does not send his or her designated alternate to two (2) consecutive meetings of the TAC, the member will be considered inactive. Following the designation as inactive, if the member or his or her alternate is not in attendance at a subsequent TCC meeting, he or she will not be counted for quorum purposes. The member will be automatically reinstated and counted for quorum purposes by attending or sending his or her designated alternate to a TCC meeting.

For members not attending three (3) consecutive TCC meetings, the Chairperson will send the chief executive officer of the jurisdiction of the member in question, a letter

indicating the number of absences and requesting reaffirmation or redesignation of the jurisdiction's representative.

### **Section 6 – Agenda:**

The agenda is a list of considerations 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 the request of the Chairperson of the Transportation Advisory Committee (TAC). Additional items may be placed on the agenda by any member following discussion of the last item on the agenda, as long as a majority concurrence of the present and eligible voting members is received.

As part of a Consent Agenda, the TCC may act on routine administrative items or items deemed by the TCC as non-controversial in one motion if no member or the public wishes an item to be removed and discussed on the regular agenda. Members of the TCC may raise questions, seek clarification, or add directions to Consent Agenda items without removing the item from the Consent Agenda as long as no other member objects to the change.

### **Section 7 – 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 6 of this article. The Chairperson is permitted to vote but any persons serving in strictly an advisory capacity and those designed as non-voting members are not permitted to vote. Each voting member of the TCC shall have one vote. Designated alternate members may only vote in the absence of a regular member. If a regular member is in attendance, the designated alternate member may not vote on matters. Except for amendments to Bylaws, an affirmative vote equal to a majority of the members of the TAC present and not excused from voting on the issue shall be required to approve any issue. A failure to vote by a member who is present at the meeting or who has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

Abstentions shall be considered affirmative votes. By approval of the TCC, a member may withdraw from voting on an issue. No secret ballot voting is allowed. E-mail voting is not allowed, however written ballots are allowed provided they are signed by each voter and included in the meeting record after the vote is taken. Written ballots shall be kept available for public inspection until the meeting minutes are approved. In the absence of any direction from these Bylaws or other duly adopted voting procedures pursuant to certain approval actions, *Robert's Rules of Order, Newly Revised* will designate procedures governing voting.

ARTICLE VI – PARLIAMENTARY PROCEDURES

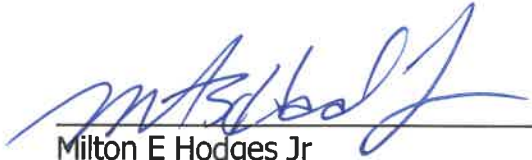
The rules contained in the most current edition of *Robert's Rules of Order, Newly Revised*, shall govern the TCC in all cases to which they are applicable and in which they are not inconsistent with the Memorandum of Understanding, the NBAMPO TAC Bylaws, these Bylaws, or any special rules of order the TCC may adopt.

ARTICLE VII – AMENDMENTS TO BYLAWS

Amendments to these Bylaws of the TCC shall require the affirmative vote of at least seventy-five percent (75%) of the TCC members present, provided that written notice of the proposed amendment has been transmitted to 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 Bylaws.

ADOPTED

These Bylaws were amended and approved at a regularly scheduled meeting of the New Bern Area Transportation Coordinating Committee held on the 12<sup>th</sup> day of October 2023.



Milton E Hodges Jr  
TCC Chair



Deanna Trebil  
Secretary