

**NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY  
TECHNICAL ADVISORY COMMITTEE  
BYLAWS**

**ARTICLE I: COMMITTEE NAME AND PURPOSE**

SECTION 1.1: NAME

The name of this committee shall be the Niles-Buchanan-Cass Area Transportation Study (NATS) Technical Advisory Committee, hereinafter referred to as the TAC.

SECTION 1.2: PURPOSE

The purpose of the Technical Advisory Committee shall be to provide technical advice to the NATS Policy Committee in all aspects of the continuing, comprehensive and cooperative transportation planning process carried out by the Southwest Michigan Planning Commission (SWMPC), the Metropolitan Planning Organization (MPO) responsible for coordinating the transportation planning process in the Niles-Buchanan-Cass Urban Area as it relates to NATS. Such advisory services shall be provided in cooperation with SWMPC staff level transportation planning activities for the NATS area.

The TAC shall:

- Recommend policy for a continuing, cooperative and comprehensive transportation planning process.
- Review the Long Range Plan (LRP) and recommend updates as necessary.
- Review the Transportation Improvement Program (TIP) and review the allocation of federal eligible projects within the each year the TIP.
- Ensure the LRP and TIP conform to the to the Michigan Transportation Conformity Air Quality State Implementation Plan (SIP), as required by Regulation 23 CFR 450.312(d) and as determined in accordance with the U.S. EPA conformity regulation (40 CFR Part 51).
- Review the Unified Planning Work Program that details work activities and proposed budget.
- Review and update a Public Participation Process that outlines the promotion and utilization of public involvement and is described in the Participation Plan.
- Ensure the efficient and effective use of Federal Highway Administration (FHWA) Metropolitan Planning (PL) and Federal Transit Administration (FTA) Section 5303 funds.

**ARTICLE II: MEMBERSHIP AND OFFICERS**

SECTION 2.1: MEMBERSHIP

TAC voting membership shall consist of each of the following:

- Niles City Public Works Director
- City of Niles Community Development Director
- City of Niles public transportation provider (Dial-A-Ride)
- City of Buchanan representative
- Village of Edwardsburg representative
- Berrien County Planning Director
- Berrien County Road Commission Engineer-Manager
- Representative of the Cass County Planning Commission
- Cass County Road Commission Engineer-Manager
- Four Flags Area Chamber of Commerce representative
- Jerry Tyler Memorial Airport representative
- Michigan Department of Transportation, Bureau of Transportation Planning representative

- Michigan Department of Transportation, Transportation Service Center representative
- Michigan Department of Transportation, Southwest Region representative
- Southwestern Michigan Economic Growth Alliance representative
- Bertrand Township
- Buchanan Township
- Howard Township representative
- Milton Township representative
- Niles Charter Township representative
- Ontwa Township representative
- Pokagon Band of Potawatomi Indians representative

TAC non-voting members shall include a representative from:

- Federal Highway Administration, Michigan Division
- Federal Transit Administration
- Michiana Area Council of Governments
- Michigan Department of Environmental Quality, Air Quality
- Michigan Department of Transportation Modeling
- Michigan Department of Transportation UPTRAN
- Southwest Michigan Planning Commission

#### SECTION 2.2: ALTERNATE REPRESENTATIVES

The legislative or policy-level body of each governmental unit and agency identified in Section 2.1 may appoint an alternate representative for its respective TAC member. The alternate representative may vote in the absence of the duly appointed TAC member at the TAC meeting. In no case shall more than one vote for each governmental unit or agency be cast on any given item of business.

#### SECTION 2.3 ATTENDANCE

If any voting member or his/her designated alternate fails to attend three (3) consecutive meetings, SWMPC staff shall notify the governmental unit or agency and request appropriate action to ensure its representation.

#### SECTION 2.4: OFFICERS

From among its Voting Membership, the TAC shall elect a Chairman and a Vice-Chairman who shall be elected bi-annually at the first TAC meeting following January 1. Said officers shall serve a two-year term or until the next election of officers. In the event an office is vacated prior to expiration, said office shall be filled by a vote of the voting members at the next TAC meeting following the office being vacated.

#### SECTION 2.5 DUTIES OF THE CHAIR AND VICE-CHAIR

The Chairman shall preside over all TAC meetings and shall assure that the transaction of business is carried out in an orderly and efficient manner, in accordance with these bylaws. The Chairman, with approval of the TAC, may appoint special subcommittees as necessary and shall serve as an ex-officio member of any such subcommittee.

In the event of absence or incapacity of the Chairman, the Vice-Chairman shall carry out the duties and responsibilities of presiding over the TAC meeting. If both the Chairman and Vice-Chairman are incapacitated or absent, the TAC shall appoint a temporary acting chairman to carry out the responsibilities and activities of the TAC.

#### SECTION 2.6 NOMINATION OF OFFICERS

The Chairperson shall, at the meeting preceding the first meeting of each odd numbered calendar year, appoint a nominating committee to present nominations for the officers of Chairperson and Vice-Chairperson. Nominations for all offices may be presented from the floor before voting occurs.

#### SECTION 2.7 STAFF

SWMPC staff shall act as staff and Recording Secretary and shall publish and maintain the official record of the proceedings and actions of the TAC.

### **ARTICLE III: RULES OF PROCEDURE**

#### SECTION 3.1: MEETINGS

TAC meetings shall be held on a regularly scheduled basis on the fourth Tuesday of each month, except November and December, which shall be scheduled on the third Tuesday. Said meeting shall take place at a time and location established by the TAC.

In January, the schedule of regular meetings will be distributed to the TAC members, be made available to the public, and published on the SWMPC website

#### SECTION 3.2 NOTICES OF MEETINGS

Notices of all regular meetings including agenda and minutes of the previous meeting shall be e-mailed to the members no later than five (5) business days prior to the meeting. Members who do not maintain e-mail addresses shall receive notices of regular meetings via postal mail. Notices of special meetings may be communicated to members by telephone and/or e-mail.

#### SECTION 3.3 OPEN MEETINGS ACT

All meetings shall be held at convenient and accessible locations and times in accordance with federal requirements. The meeting locations will also be at sites which comply with the Americans with Disabilities Act (ADA) and are accessible via public transit. All meetings will be held in accordance with the Act 267 of the Public Acts of Michigan of 1976 known as the "Open Meeting Act".

#### SECTION 3.4 SPECIAL MEETINGS

Special meetings may be called by the SWMPC Staff or TAC Chairperson or by a majority vote of the membership of the TAC.

#### SECTION 3.5: QUORUM

For purposes of conducting official TAC business, the voting members present for a duly called meeting shall constitute a quorum.

#### SECTION 3.6: VOTING

Business items brought before the TAC for official action shall be voted on for approval and a simple majority of those present and qualified to vote shall constitute the official action of the TAC regarding the matter, except as provided in Section 4.2.

#### SECTION 3.7: PARLIAMENTARY PROCEDURE

At the Chairman's discretion, an informal, practical parliamentary procedure shall be followed.

**SECTION 3.8 SUBCOMMITTEES**

The TAC shall establish such subcommittees as it deems necessary and appropriate. Subcommittees shall be established by the approval of the voting membership. Minutes of each subcommittee meeting will be recorded and distributed to the TAC members at or before the next TAC meeting.

**SECTION 3.9 MEETING CHANGES OR CANCELLATIONS**

In the event a regular meeting needs to be rescheduled, SWMPC staff will set a substitute meeting date. All cancellations or changes in the date of scheduled meetings, or special meetings, of the TAC shall be communicated to the members as promptly as practical via e-mail, US mail, or telephone, and be noticed to the public and published on the SWMPC website.

**ARTICLE IV: GENERAL PROVISIONS**

**SECTION 4.1: ADMISSION OF ADDITIONAL OR NEW AGENCIES AND ORGANIZATIONS**

The TAC may, upon request, admit additional agencies, organizations or entities to membership on the TAC. Said agencies, organizations or entities may be admitted as either voting or non-voting members, as deemed appropriate by the TAC. Said admission shall require amendment to these bylaws.

**SECTION 4.2: AMENDMENT OF THE BYLAWS**

Any voting member of the TAC may submit a proposed amendment to these bylaws. Prior to any action by the TAC, the proposed amendment and an explanatory written statement must be sent to each member, both voting and non-voting, at least 30 calendar days before the TAC may consider action on the proposed amendment. An affirmative vote of two-thirds of those present and eligible to vote shall be required for approval of any bylaw amendment.

**ARTICLE IV: EFFECTIVE DATE OF BYLAWS**

These bylaws shall become effective upon approval by the NATS TAC. The approval date of these bylaws shall be the date of the approval action. Each TAC member shall be given a copy of the approved bylaws.

Approved:           May 22, 2007          

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NATS TAC Chairman

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NATS TAC Recording Secretary