

**NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY  
POLICY COMMITTEE BYLAWS  
ADOPTED JANUARY 24, 2017**

**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) Policy Committee, hereinafter referred to as the Policy Committee.

**SECTION 1.2: PURPOSE**

The Purpose of the Policy Committee shall be to provide guidance, direction and necessary approvals with respect to all aspects of the continuing, comprehensive and cooperative transportation planning process carried out by the designated Metropolitan Planning Organization, Southwest Michigan Planning Commission (SWMPC), responsible for coordinating the transportation planning process in the NATS area. Deliberations, findings, and approvals of the Policy Committee shall be made after due consideration of recommendations of the NATS Technical Advisory Committee, and when necessary, shall be then recommended to the SWMPC.

The Policy Committee shall constitute the forum for cooperative transportation decision making by elected or appointed officials of the general purpose governments and agencies organized to develop area wide transportation plans and programs. The Policy Committee shall:

- Approve policy for a continuing, cooperative and comprehensive transportation planning process.
- Review and adopt the Long Range Plan (LRP) and update as necessary.
- Act on recommendations of the Technical Advisory Committee.
- Review the Transportation Improvement Program (TIP) and review the allocation of federal eligible projects within each year of 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 and approve the Unified Planning Work Program that details work activities and proposed budget.
- Adopt and implement 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.
- Annually certify that the Transportation Planning Process is meeting the requirements of 23 Code of Federal Regulations 450.334(a).

## **ARTICLE II: MEMBERSHIP AND OFFICERS**

### **SECTION 2.1: MEMBERSHIP**

Policy Committee voting membership shall consist of duly appointed representatives from each of the following jurisdictions:

- Berrien County Board of Commissioners, 2 Appointees
- Berrien County Road Commission, 1 Appointee
- Berrien County Planning Commission, 1 Member
- Bertrand Township, 1 Appointee
- Buchanan Township, 1 Appointee
- Cass County Board of Commissioners, 2 Appointees
- Cass County Road Commission, 1 Appointee
- City of Buchanan, 1 Appointee
- City of Niles, 3 Appointees
- Four Flags Area Chamber of Commerce, 2 Members
- Howard Township, 2 Appointees
- Michigan Department of Transportation, 1 Representative of the Bureau of Transportation Planning
- Michigan Department of Transportation, 1 Southwest Region Representative
- Michigan Department of Transportation, 1 Transportation Service Center Representative
- Mason Township, 1 Appointee
- Milton Township, 1 Appointee
- Niles Dial-A-Ride, 1 Appointee
- Buchanan Dial-A-Ride, 1 Appointee
- Niles Charter Township, 1 Appointee
- Ontwa Township, 1 Appointee
- Village of Edwardsburg, 1 Appointee
- Pokagon Band of Potawatomi Indians, 1 Appointee

Policy Committee non-voting members shall include a representative from:

- Federal Highway Administration, Michigan Division
- Federal Transit Administration
- Michiana Area Council of Governments
- 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 Policy Committee member. The alternate representative may vote in the absence of the duly appointed Policy Committee member at the Policy Committee meeting. In no case shall the alternate representative vote when the voting member that he or she is serving as an alternate member is also present.

### SECTION 2.3: APPOINTMENT OF REPRESENTATIVES

Policy Committee member jurisdictions can appoint a new representative to the Policy Committee at any time. To appoint new members, a manager, supervisor, or local governing board chair must send a formal letter or email to the MPO staff specifying the change.

### SECTION 2.4: ATTENDANCE

SWMPC staff shall publish an annual attendance report showing attendance of representatives from each jurisdiction. This report will be available via the SWMPC website, and will also be provided to the manager, supervisor, or governing board member from each NATS member community. If any voting member or their designated alternate fails to attend three (3) consecutive meetings, SWMPC staff shall notify his/her governmental unit or agency and request appropriate action to ensure its representation.

### SECTION 2.5: OFFICERS

From among its voting membership, the Policy Committee shall elect a Chair and a Vice-Chair who shall be elected bi-annually at the first Policy Committee meeting of odd numbered calendar years. Said officers shall serve a two-year term. In the event that the Chair vacates the position before the two-year term has expired, the Vice Chair shall serve as Chair for the remainder of the term. In the event that the Vice Chair position is vacated prior to expiration of the term, the office shall be filled by a simple majority vote of the voting members at the next Policy Committee meeting following the office being vacated.

### SECTION 2.6: DUTIES OF THE CHAIR AND VICE-CHAIR

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

The Chair shall advise the full Policy Committee and SWMPC staff on any stated conflicts of interest by committee members, pursuant to Section 4.2 of the Bylaws.

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

### SECTION 2.7: STAFF

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

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

### **SECTION 3.1: REGULAR MEETINGS**

Regular meetings of the Policy Committee shall be held at a place and on a date and time selected by the Policy Committee in conformance with Section 3.3 during their first meeting of the calendar year, for a twelve-month period. After such meeting schedule is set the SWMPC staff will distribute it to Policy Committee members and make it available to the public, including posting it 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 or mailed by SWMPC staff to the members no later than five (5) business days prior to the meeting. Notices of special meetings shall 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 Meetings Act".

### **SECTION 3.4: SPECIAL MEETINGS**

Special meetings may be called by either the SWMPC staff, the Chair, or by a majority vote of the Policy Committee during a meeting. Notices for such meeting shall conform to the requirements found in Section 3.2.

### **SECTION 3.5: CANCELLATION AND RESCHEDULING**

A meeting of the Policy Committee may be cancelled by either SWMPC staff, the Chair, or by a majority vote of the Policy Committee during a meeting. Cancelled meetings may be rescheduled following the requirements found in Section 3.4, and notice given following the requirements found in Section 3.2.

### **SECTION 3.6: QUORUM**

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

### SECTION 3.7: VOTING

Business items brought before the Policy Committee 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 Policy Committee regarding the matter, except as provided in Section 4.2.

### SECTION 3.8: PARLIAMENTARY PROCEDURE

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

### SECTION 3.9: SUBCOMMITTEES

The Policy Committee may establish such subcommittees as it deems necessary and appropriate. Subcommittees shall be established by the approval of the voting membership. Minutes shall be created for such subcommittees in a manner prescribed by the Michigan Open Meetings Act and then drafts of such minutes and then approved versions shall be distributed to the Policy Committee.

## **ARTICLE IV: GENERAL PROVISIONS**

### SECTION 4.1: ADMISSION OF NEW MEMBERS

Any city, village, or township that falls within the South Bend or Elkhart Urbanized Areas (UZA) as designated by the United States Census is required to be eligible to have voting representation on the Policy Committee. Such city, village, or township, or any other agency or organization determined by Policy Committee to be appropriate may have their membership added to Policy Committee through a bylaw amendment.

### SECTION 4.2: CONFLICTS OF INTEREST

Any voting member shall make any foreseeable conflicts of interest known to the Chair as soon as they are aware of such conflicts. Any voting committee member with a conflict of interest shall recuse his- or herself from voting on any matters where such a conflict exists. The Chair shall be responsible for notifying all committee members when a conflict of interest exists.

### SECTION 4.3: AMENDMENT OF THE BYLAWS

Any voting member of the Policy Committee may submit a proposed amendment to these bylaws. Prior to any action by the Policy Committee, 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 Policy Committee 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 Policy Committee. The approval date of these bylaws shall be the date of the approval action. Each Policy Committee member shall be given a copy of the approved bylaws.

Approved: January 24, 2017

  
\_\_\_\_\_  
NATS Policy Committee Chair