

**NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY
POLICY 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) 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 and adopt 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 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
- Milton Township, 1 Appointee
- Niles 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.

SECTION 2.3 ATTENDANCE

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

SECTION 2.4: OFFICERS

From among its Voting Membership, the Policy Committee shall elect a Chairman and a Vice-Chairman who shall be elected bi-annually at the first Policy Committee 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 Policy Committee meeting following the office being vacated.

SECTION 2.5 DUTIES OF THE CHAIR AND VICE-CHAIR

The Chairman 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 Chairman, with approval of the Policy Committee, 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 Policy Committee meeting. If both the Chairman and Vice-Chairman are incapacitated or absent, the Policy Committee shall appoint a temporary acting chairman to carry out the responsibilities and activities of the Policy Committee.

SECTION 2.6 NOMINATION OF OFFICERS

The Chairperson shall, at the meeting preceding the first meeting of the odd 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

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: MEETINGS

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

In January, the schedule of regular meetings will be distributed to the Policy Committee members, 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 Policy Committee Chairperson or by a majority vote of the membership of the Policy Committee.

SECTION 3.5: QUORUM

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

SECTION 3.6: 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 3.7: PARLIAMENTARY PROCEDURE

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

SECTION 3.8 SUBCOMMITTEES

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

SECTION 4.2: 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: May 22, 2007

NATS Policy Committee Chairman

NATS Policy Committee Recording Secretary