

**NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY
TECHNICAL ADVISORY 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) 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:

- Provide updates on the progress of federal-aid transportation projects as they go through preliminary design work, the MDOT Local Agency Programs process or MDOT Transit Contract process, and construction or implementation.
- 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 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 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 public transportation provider (Dial-A-Ride)
- City of Buchanan representative
- Village of Edwardsburg representative
- Berrien County Community Development Department
- 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
- Mason Township representative
- Milton Township representative
- Niles Charter Township representative
- Ontwa Township representative
- Pokagon Band of Potawatomi Indians representative
- Kinexus

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 Office of Passenger Transportation
- 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 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

TAC member jurisdictions can appoint a new representative to TAC 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 NATS 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 TAC shall elect a Chair and a Vice-Chair who shall be elected bi-annually at the first TAC 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 TAC meeting following the office being vacated.

SECTION 2.6: DUTIES OF THE CHAIR AND VICE-CHAIR

The Chair 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 Chair, with approval of the TAC, may appoint special subcommittees as necessary and shall serve as an ex-officio member of any such subcommittee. The Chair shall also have the authority to cancel or reschedule a meeting, pursuant to sections 3.4 and 3.5 of the bylaws.

The Chair shall advise the full TAC 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 TAC meeting. If both the Chair and Vice-Chair are

incapacitated or absent, the TAC shall appoint a temporary acting chair to carry out the responsibilities and activities of the TAC.

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: REGULAR MEETINGS

Regular meetings of the TAC shall be held at a place and on a date and time selected by the TAC 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 TAC 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 TAC 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 TAC may be cancelled by SWMPC staff or the TAC Chair or by a majority vote of the TAC 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 TAC business, the voting members present for a duly called meeting shall constitute a quorum.

SECTION 3.7: 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 3.8: PARLIAMENTARY PROCEDURE

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

SECTION 3.9 SUBCOMMITTEES

The TAC 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 TAC.

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 TAC. Such city, village, or township, or any other agency or organization determined by TAC to be appropriate may be added as members to the TAC 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 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 V: 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: January 24, 2017



NATS TAC Chair