

# Region 4 Rural Task Force Bylaws

(Berrien, Cass, and Van Buren Counties)

## ARTICLE I-NAME

The name of this regional transportation coordinating body shall be the Region Four Rural Task Force, hereinafter referred to as Region 4 RTF. The Region 4 RTF includes Berrien County, Cass County, and Van Buren Counties.

## ARTICLE II-PURPOSE

### Section 1. General Purpose

- A. The purpose of the Region 4 RTF committee shall be to establish priorities and select projects for the Transportation Improvement Program (TIP) within the designated rural areas of Berrien, Cass, and Van Buren Counties (A rural area is defined as any area that is not included in a developed area with a population of 5,000 or more). The TIP will be submitted to the State Transportation Commission for funding under the current federal transportation act and be incorporated into the State Transportation Improvement Program (STIP).
- B. This committee shall also be the task force to select all season routes and select projects on those routes within Berrien, Cass, and Van Buren County for submission to the State Transportation Commission for funding under subsection 2 of Act No. 233, Public Acts of 1987, commonly known as Transportation Economic Development Fund Category D ("State D").

### Section 2. Project Selection

- A. Every three years the Region 4 RTF shall select a four-year list of projects, which will be referred to as the RTF Transportation Improvement program (TIP). Projects selected for the RTF TIP shall be evaluated and selected based one more the following: methods; established project selection criteria approved by the RTF members or on the greatest needs of the region as determined through a consensus decision-making process.
- B. Any eligible project that was submitted, evaluated, and not selected for the TIP, shall be added to an illustrative list for consideration if funding becomes available before the next call for projects.
- C. In the event, that additional funding or a programed project is canceled the Region 4 RTF shall do one of the following:
  - Move a project from a future year in the RTF TIP forward
  - Apply available funding to an approved, programmed project if the project has more than the minimum required local match
  - Advance Construct/Advance Construct Conversion of a project
  - Add a project from the approved illustrative list
  - If the other options are not feasible, a call for projects will be issued.

### Section 3. Project Requirements

All Projects must meet the following requirements:

- Projects shall be in accordance with all current federal transportation regulations. .

- Projects shall be selected in conformance to the current Michigan Transportation Plan (MTPP) Program Principles.
- Federal Surface Transportation Block Grant (STBG - formerly STP) funded projects must include non-federal matching funds of at least 18.15% of the total eligible costs of the project.
- Road construction projects using federal funds must be on a federal aid eligible road.
- Projects using State D funds must be on a road accepted into the all season road system and construction shall be to all season standards.
- Funding shall only be used for physical road construction or transit capital purchases.
- Funding shall not be used for design and construction engineering or right-of-way acquisition.
- Projects must have a complete biddable package submitted to MDOT by August 1<sup>st</sup> of the year the project is programed for.

### **ARTICLE III-MEMBERSHIP**

- A. Sub-task Force Committees (county level) will consist of three (3) members:
- One representative from the County Road Commission/Department
  - One representative from the County's rural transit system
  - One representative from the incorporated cities or villages within the rural portion of the county.
- B. Region 4 RTF membership is comprised of the County Sub-task level task force members. The voting members of the committee shall be as follows with each member agency having one vote:
- Berrien County Road Department
  - Cass County Road Commission
  - Van Buren Road Commission
  - A designated representative from the incorporated villages or cities in Berrien County
  - A designated representative from the incorporated villages or cities in Cass County
  - A designated representative from the incorporated villages or cities in Van Buren County
  - Berrien Bus of Berrien County
  - Cass County Public Transit of Cass County
  - Van Buren Public Transit of Van Buren County
  - Michigan Department of Transportation (For State D funds only)
- C. Federal guidelines requires that a voting member must be elected or employed by the eligible voting entity in order to cast a vote unless a written resolution is passed through the entities elected board specifically naming another person to represent said entity.
- D. An alternative representative may be appointed for the county road agency and the rural transit provider. The RTF voting member or their agency must notify staff and the other RTF members if an alternative member will be voting. The village/cites may elect a representative from a different city/village (within the same county) to serve as their alternate. The alternate representatives shall have all the powers and privileges of the primary voting representative in the absence of that representative.
- E. The Region 4 RTF shall elect a chair every three years. In the event that the chair is absent, a temporary chair shall be selected by the members present to chair the meeting.

## Article IV STAFF

The regional planning agency for Berrien, Cass, and Van Buren Counties is the Southwest Michigan Planning Commission (SWMPC). Staff from SWMPC shall serve as staff to the Region 4 RTF. Staff responsibilities include (but are not limited to):

- Working with the RTF chair to ensure a cooperative, coordinated, and comprehensive planning process is followed that is consistent with approved federal planning regulations
- Ensuring that the concerns of local elected/appointed officials with responsibilities for transportation in rural areas are considered during the planning process.
- Ensuring that the public involvement process is followed to allow sufficient notice and opportunity to comment on proposed transportation projects, plans and programs
- Program projects and Change Requests
- Submitting documentation to MDOT to review projects, project revisions, and project obligation.
- Disseminating communication from MDOT about the RTF program to all RTF members
- Coordinating the development of the TIP with RTF members
- Ensuring fiscal constraint is met through by keeping a budget of the RTF that covers at least 4 years.
- Facilitating agreements for borrowing/lending funds

## ARTICLE V MEETINGS

### Section 1. Meetings Requirements

- A. All meetings will adhere to the Michigan Open Meetings Act, MDOT's Consultation Plan, and the SWMPC Public Participation Plan.
- B. The general public and other interested parties must be provided an opportunity to comment on proposed projects at Rural Task Force meetings.
- C. Rural task force members (in coordination with the Regional Planning Agency) must ensure that projects meet funding eligibility requirements and criteria; are constrained to funding allocation targets for each year of the rural portion of the STIP; and are approved by the task force.
- D. Meeting locations shall be rotated based on venue availability and suitability.
- E. Region 4 RTF shall be required to meet at a least once per year, but are encouraged per the statewide RTF guidelines to meet at least three times a year
- F. Meeting dates shall be determined by consensus between the RTF chair and staff. Recommended meeting months are:
  - November-February (annual meeting)
  - April/May
  - August
- G. The County RTF shall meet at a minimum of once every three years to program projects but may meet whenever the County RTF decides there are significant project changes to warrant a meeting.
- H. Notice of meetings will be a minimum of five business days prior to the scheduled meeting

### Section 2. Quorum

A simple majority of the voting members of the county sub-task force or Region 4 RTF shall constitute a quorum. Alternate voting members present in the absence of regular members shall be counted in determining a quorum.

**Section 3. Administrative Actions**

Per the RTF amendment policy, a minor revision (change in less than 25% of total project cost) which changes federal or state D funds can be approved via an email vote without the need for a meeting. An email vote is not considered a meeting and does not need to follow the public participation guidelines. Minor changes to local funds only can be programed administratively by staff upon request from the responsible agency without input from RTF members.

**ARTICLE VI AMEND THE BYLAWS**

The Region 4 RTF shall have power to make, alter, amend, or repeal these articles by a majority of the total membership voting in the affirmative at any Region 4 RTF meeting. A notice of proposed changes shall be presented to the membership prior to the meeting and posted publically in accordance with the SWMPC Public Participation Plan.

**Approved by Region Four Rural Task Force this \_\_\_ day of January, 2022**

These bylaws conform to the [STATEWIDE GUIDELINES AND OPERATING PROCEDURES FOR RURAL FUNDING AND PLANNING COORDINATION](#) as updated on August 2020. Region 4 RTF shall utilize the state guidelines for any additional clarification on rules.

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