

November 2018

**Amended Memorandum of Understanding for
Cooperative, Comprehensive and Continuing Transportation Planning
And the Establishment of a
Rural Transportation Planning Organization (RPO)
For**

Beaufort County and the participating municipalities therein; Pitt County and the non-MPO municipality therein; Martin County and the participating municipalities therein; and the North Carolina Department of Transportation (NCDOT), hereinafter collectively “the Parties”.

Witnesseth

Whereas, on February 6, 2006, the Parties entered into a Memorandum of Understanding which created the Mid-East Rural Planning Organization, hereinafter “RPO”; and,

Whereas, the RPO provides rural areas the opportunity to work in partnership with NCDOT toward the development of sound, short and long-range transportation planning for the rural areas of our region; and,

Whereas, the Parties have agreed to amend the original Memorandum of Understanding;

Now, therefore, the following Amended Memorandum of Understanding is made on this 19th day of November 2018.

Section 1. Purpose and Responsibilities. It is hereby agreed that the Parties intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined in the following:

1. Develop long-range local and regional multi-modal transportation plans in cooperation with the North Carolina Department of Transportation.
2. Provide a forum for public participation in the rural transportation planning process.
3. Develop and prioritize suggestions for transportation projects that the RPO believes should be included in the State Transportation Improvement Program (STIP).
4. Provide transportation-related information to local governments and other interested organizations and persons.
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
6. To perform other related transportation planning activities that shall be agreed upon between the RPO and the North Carolina Department of Transportation.

Section 2. Lead Planning Agency. It is hereby further agreed that the transportation plans and programs and land use policies and programs for the RPO will be coordinated by the Mid-East Commission, an agency selected on behalf of participating local governments and NCDOT, to be the administrative entity and to serve

as the lead local planning agency for coordinating rural transportation planning in the three county planning area. The RPO hereby authorizes Mid-East Commission to be the recipient of any funds appropriated to the RPO by NCDOT pursuant to North Carolina General Statute 136-213(c), or otherwise obtained by the RPO.

Section 3. Establishment of Transportation Advisory Committee (TAC). A Transportation Advisory Committee (TAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the RPO. The TAC shall have the responsibility of keeping local elected governing boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the local elected governing boards and NCDOT; and to help ensure meaningful public participation in the rural transportation planning process.

1. The TAC will be responsible for carrying out the following:
 - a. Establishment of goals, priorities, and objectives for the transportation planning process.
 - b. Endorsement and review of changes to adopted transportation plans within the RPO.
 - c. Endorsement, review and approval of a Planning Work Program (PWP) for transportation planning which defines work tasks and responsibilities for the various agencies participating in the RPO.
 - d. Endorsement, review and approval of transportation improvement projects which support and enhance regional and local transportation improvement projects which support and enhance regional and local transportation within the three-county RPO.
2. The membership of the TAC shall consist of the following:
 - a. One County Commissioner representing Beaufort County. An alternate voting member may be designated from the Commissioners' Board.
 - b. One municipal elected official representing the municipalities within Beaufort County that by affirmative vote of their governing boards, have elected to become members of the Mid-East RPO, unless there are no municipalities included in the county's RPO planning area. The municipalities within Beaufort County that are members of the Mid-East RPO shall decide jointly on the elected official to represent the Beaufort County municipalities on the Mid-East RPO Transportation Advisory Committee. A majority vote of the Mayors shall determine the municipal representative.
Inaction by municipalities resulting in a vacant seat will automatically delegate the responsibility of selecting a municipal representative to Beaufort County.
An alternate voting member may also be designated for the municipal representative. These voting members and their respective alternates shall be identified by name in the Mid-East RPO TAC membership roster.
 - c. One County Commissioner representing Martin County. An alternate voting member may be designated from the Commissioners' Board.
 - d. One municipal elected official representing the municipalities within Martin County that by affirmative vote of their governing boards, have elected to become members of the Mid-East RPO, unless there are no municipalities included in the county's RPO planning area. The municipalities within Martin County that are members of the Mid-East RPO shall decide jointly on the elected official to represent the Martin County municipalities on the Mid-East RPO Transportation Advisory Committee. A majority vote of the Mayors shall determine the municipal representative.
Inaction by municipalities resulting in a vacant seat will automatically delegate the responsibility of selecting a municipal representative to Martin County.
An alternate voting member may also be designated for the municipal representative. These voting members and their respective alternates shall be identified by name in the Mid-East RPO TAC membership roster.

- e. One County Commissioner representing Pitt County. An alternate voting member may be designated from the Commissioners' Board.
 - f. One municipal elected official representing the municipalities within the non-MPO municipalities in Pitt County that by affirmative vote of their governing boards, have elected to become members of the Mid-East RPO, unless there are no municipalities included in the county's RPO planning area. The municipalities within Pitt County that are members of the Mid-East RPO shall decide jointly on the elected official to represent the Pitt County municipalities on the Mid-East RPO Transportation Advisory Committee. A majority vote of the Mayors in the non-MPO municipalities shall determine the municipal representative. Inaction by municipalities resulting in a vacant seat will automatically delegate the responsibility of selecting a municipal representative to Pitt County. An alternate voting member may also be designated for the municipal representative. These voting members and their respective alternates shall be identified by name in the Mid-East RPO TAC membership roster.
 - g. One of the two North Carolina Board of Transportation members in the RPO area. The other North Carolina Board of Transportation member would serve as alternate.
3. Each voting representative on the TAC shall have one vote.
 4. The county commissioner representing each county on the TAC shall be selected every year by the Board of County Commissioners of each county in regular session. An alternate voting member may be designated from the Commissioners' Board. The alternate voting members shall meet the same criteria as the original appointees. While individual representation may change at the discretion of the Board of County Commissioners, each county shall have a seat on the TAC so long as the county is a member of the RPO.
 5. The term of membership for the municipal representative from each county shall be one year. An alternate voting member may be designated for the municipal representative. The alternate voting members shall meet the same criteria as the original appointees. At the end of each one year term, the municipalities within each county that are members of the Mid-East RPO shall caucus and select a municipal representative from the county. Municipal representatives who have just completed a year term are eligible to serve additional terms if selected by the county's municipal caucus. If all the municipalities within a county agree, the responsibility of selecting a municipal representative may be delegated to the county. Inaction by municipalities resulting in a vacant seat will automatically delegate the responsibility of selecting a municipal representative to the county.
 6. In the event a county is no longer a member of the RPO, municipal representation for that county is also lost. Municipalities cannot be a member of the TAC without the county being a member of the RPO.
 7. A TAC membership roster shall be compiled and updated at least annually, listing each member and alternate. The Roster will be maintained by the Mid-East Commission.
 8. The TAC shall meet as often as it is deemed necessary, appropriate and advisable. A quorum shall be required for the transaction of all business. A quorum shall consist of fifty-one percent (51%) of the active membership of the TAC. TAC members who fail to attend or send an alternate in their place for two (2) consecutive meetings of the TAC shall have their seat declared vacant, and their absence shall not count for quorum. Attendance at a future meeting shall automatically reinstate the member's seat on the committee. A member voting privileges will be restored at the second consecutive meeting that the member attends. On the basis of majority vote of its voting membership, the TAC shall appoint a member of the committee to act as Chairperson and Vice Chairperson with the responsibility for coordination of the committee's activities. Terms of appointment for Chairperson and Vice Chairperson shall be for one year. Reappointment is possible.
 9. The Mid-East Commission will serve as staff to the TAC.

Section 4. Establishment of the Technical Coordinating Committee (TCC). A Technical Coordinating Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the RPO and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation planning process.

1. The TCC shall be responsible for development, review, and recommendation for approval of the PWP for the RPO and the STIP priorities.
2. Membership of the TCC shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. The membership shall include, but not be limited to, the following:
 - a. Beaufort County Manager, Assistant Manager, Planning Director, or Engineer, or his/her designee.
 - b. Martin County Manager, Assistant Manager, Planning Director, or Engineer, or his/her designee.
 - c. Pitt County Manager, Assistant Manager, Planning Director, or Engineer, or his/her designee.
 - d. Municipal representative(s) from Beaufort County representing the municipalities within Beaufort County. The municipal representative(s) may be the Chief Administrative Official, Planning Director, Engineer or Clerk, or his/her designee. Any municipalities that are members of the Mid-East RPO may have a TCC representative if desired.
 - e. Municipal representative(s) from Martin County representing the municipalities within Martin County. The municipal representative(s) may be the Chief Administrative Official, Planning Director, Engineer or Clerk, or his/her designee. Any municipalities that are members of the Mid-East RPO may have a TCC representative if desired.
 - f. Municipal representative(s) from Pitt County representing the municipalities within Pitt County's Mid-East RPO area. The municipal representative(s) may be the Chief Administrative Official, Planning Director, Engineer or Clerk, or his/her designee. Any municipalities that are members of the Mid-East RPO may have a TCC representative if desired.
 - g. The Transportation Director of Beaufort Area Transit System (BATS), or his/her designee.
 - h. The Transportation Director of Martin County Transit (MCT), or his/her designee.
 - i. The Transportation Director of Pitt Area Transit System (PATs), or his/her designee.
 - j. The Airport Administrator of Washington-Warren Airport, or his/her designee.
 - k. The Airport Administrator of Martin County Airport, or his/her designee.
 - l. NC DOT Division 1 Engineer, or his/her designee.
 - m. NC DOT Division 2 Engineer, or his/her designee.
 - n. The NC DOT Transportation Planning Division Manager or his/her designee.
 - o. The NC DOT Regional Traffic Safety Engineer or his/her designee.
 - p. The MPO Planner for the Greenville Metropolitan Planning Organization or his/her designee.
 - q. A delegate of the Southern Albemarle Association, or his/her designee.
3. The Chief Administrative Officials from municipalities in each of the counties shall jointly determine the official(s) to represent their county's municipalities on the TCC. Any municipalities that are members of the Mid-East RPO may have a TCC representative if desired.
4. Each voting representative on the TCC shall have one vote. An alternate shall be designated by their local government board action for each member, provided they meet the same criteria as the member.
5. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC, and may be further defined and expanded as permitted in the duly adopted bylaws.
6. A TCC membership roster shall be compiled and updated at least annually, listing each member and alternate. The Roster will be maintained by the Mid-East Commission.
7. The TCC shall meet when it is deemed necessary, appropriate and advisable. A quorum shall be required for the transaction of all business. A quorum shall consist of fifty-one percent (51%) of the active

membership of the TCC. TCC members who fail to attend or send an alternate in their place for two (2) consecutive meetings of the TCC shall have their seat declared vacant, and their absence shall not be counted for quorum. If a TCC seat is declared vacant, the RPO Planner will request a new TCC representative from that county, municipality, agency or organization. Attendance at a future meeting shall automatically reinstate the member's seat on the committee. A member voting privileges will be restored at the second consecutive meeting that the member attends. On the basis of majority vote of its voting membership, the TCC shall appoint a member of the committee to act as chairperson and vice chairperson with the responsibility for coordination of the committee's activities. Terms of appointment for Chairperson and Vice Chairperson shall be for one year. Reappointment is possible.

8. The Mid-East Commission will serve as staff to the TCC.

Section 5. Commitment to the Rural Planning Process. The Parties further agree to assist in the rural transportation planning process by providing planning assistance, data and inventories where possible, in accordance with the approved PWP.

Section 6. Staff Support and Coordination. Each member jurisdiction shall have the support of RPO staff in developing local transportation projects and priorities. It is further agreed that each member shall coordinate its transportation plans with those of other RPO members. Additionally, the RPO may identify and present projects of a regional nature to NC DOT for consideration.

Section 7. Termination. The Parties may terminate their participation in the RPO by giving written notice of termination to the other parties ninety (90) days before the end of the State fiscal year.

Section 8. Applicability. This amended Memorandum of Understanding supersedes and replaces any prior Memorandum of Understanding between the Parties regarding the RPO.

Section 9. Witness. In witness thereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, as of the dates shown on the following signature pages.

Beaufort County

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANING ORGANIZATION IN THE Mid-East RPO," is hereby adopted by the Beaufort County Board of Commissioners, this 7th day of January, 2019.

Beaufort County

By: Jerry Evans
Jerry Evans, Chairman



Katie Mosher
Katie Mosher, Clerk to the Board

Martin County

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANING ORGANIZATION IN THE Mid-East RPO," is hereby adopted by the Martin County Board of Commissioners, this 3 day of December, 2018.

Martin County

By: Tommy Bowen
Tommy Bowen, Chairman

Jessica Godard
Jessica Godard, Clerk to the Board

Pitt County

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANING ORGANIZATION IN THE Mid-East RPO," is hereby adopted by the Pitt County Board of Commissioners, this 7 day of Jan, 2019.

Pitt County

By: Beth B. Ward, Chairman
Beth B. Ward, Chairman

Kimberly W. Hines
Kimberly W. Hines, Clerk to the Board

Mid-East Commission

This, "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE Mid-East RPO," is hereby adopted by the Board of the Mid-East Commission, this the

19 day of November, 2018. By the adoption of this resolution, the Mid-East Commission also agrees to serve as the administrative entity for the Mid-East RPO and to receive such funding that is forthcoming.

Mid-East Commission

Clerk: *[Signature]*

By: *[Signature]*
Chairman

Memorandum of Understanding
Approved as to form:

NC Department of Transportation

Assistant Attorney General

By: *[Signature]* 11/17/19
Secretary