

**PINE BLUFF AREA TRANSPORTATION STUDY  
METROPOLITAN PLANNING ORGANIZATION**



## **BYLAWS**

Arkansas State Highway and Transportation Department

The City of Pine Bluff, Arkansas

City of White Hall, Arkansas

Jefferson County, Arkansas

---

IN COOPERATION WITH:  
The U.S. Department of Transportation  
The Federal Highway Administration  
The Federal Transit Administration

**Adopted by the Policy Board:  
Amendment #1-2017Adopted:**

**August 28<sup>th</sup>, 2003  
May 4<sup>th</sup>, 2017**

**BY-LAWS**  
**PINE BLUFF AREA TRANSPORTATION STUDY**  
**POLICY COMMITTEE**  
**ARTICLES OF ORGANIZATION**

**WHEREAS,** the Federal-Aid Highway Act of 1962 requires a continuing, comprehensive and cooperative transportation planning process carried out by the State(s), the local governments, public transit agencies and other interested parties for each urbanized area of more than 50,000 population in order to qualify highway projects in such areas for Federal-Aid; and,

**WHEREAS,** the Pine Bluff Area Transportation Study (PBATS) process has been established by agreement between the local government(s), the Arkansas State Highway and Transportation Department, and Pine Bluff Transit for the purpose of developing a continuing, cooperative, and comprehensive metropolitan transportation planning process; and

**WHEREAS,** the main function of the Policy Committee shall be to adopt policies relating to the transportation planning process, to review and adopt a long range Transportation Plan and Transportation Improvement Program; and

**NOW, THEREFORE,** the members of this Committee do hereby agree and so hereby Associate themselves together for the purpose aforesaid, and in consideration of the mutual promises hereby made, do agree as follows:

## **ARTICLE I**

### **ORGANIZATION AND MANAGEMENT**

#### **ORGANIZATION NAME**

The name of this organization shall be the Pine Bluff Area Transportation Study (PBATS).

#### **ORGANIZATION STRUCTURE**

The PBATS Policy Committee shall be assisting in the accomplishment of its duties and responsibilities by a Technical Committee, Study Director and staff, and other study groups and committees as may be appointed by the Policy Committee.

The Policy Committee is the governing body of PBATS and is responsible for providing policy guidance for PBATS. The Technical Committee is responsible for providing technical support to the Policy Committee. The Policy Committee may create such other study groups, committees and subcommittees as may be necessary or desirable to ensure adequate pro-active participation in the transportation planning process, including participation by the general public and various interest groups. The Study Director and staff shall be responsible for overall management and administration for PBATS affairs as outlined hereinafter. As used throughout these bylaws, the term "Study Director" shall be the person employed by the Policy Committee as the Study Director or such other person as may be designated by the Policy Committee to serve in the capacity of the Study Director.

#### **MANAGEMENT**

Management of PBATS shall be under the general direction of a Study Director and such staff as shall from time to time be employed by the organization. Management of the organization shall include, but not be limited to, proper accounting of all funds received and expended in accordance with Generally Accepted Accounting Principles (GAAP) governed by the Governmental Accounting Standard Board (GASB) and such general administrative functions as may be required by the Policy Committee, Technical Committee, Arkansas State Highway and Transportation Department or the U. S. Department of Transportation.

## ARTICLE II

### POLICY COMMITTEE BYLAWS AND OPERATIONAL PROCEDURES

#### MEMBERSHIP

The Policy Committee shall be composed of representatives from the participating governmental jurisdictions and organizations as enumerated hereinafter.

#### Voting Members

The following persons shall serve as voting members of the Policy Committee and as the official governing body:

(2) City of Pine Bluff	Mayor and one Alderman appointed by the City Council
(2) City of White Hall	Mayor and one Alderman appointed by the City Council
(2) Jefferson County	County Judge and one Quorum Court Member appointed by the Quorum Court
(1) Southeast Arkansas Regional Planning Commission	One representative from the Southeast Arkansas Regional Planning Commission appointed by the Commission other than those already represented on the Policy Committee from the Cities of Pine Bluff and White Hall and Jefferson County
(2) Arkansas State Highway and Transportation Department	District Engineer and Transportation Planning and Policy Division MPO Coordinator

The Policy Committee can appoint ex-officio members as deemed necessary to carry out the planning functions where necessary. Ex-officio members are non-voting members.

#### POLICY COMMITTEE RESPONSIBILITIES

The Policy Committee is the governing body for PBATS and is responsible for providing policy guidance as required by the Code of Federal Regulations, Title 23, Part 450, Subpart C, ("Metropolitan Transportation Planning and Programming"). In this regard, the Policy Committee shall have the following responsibilities:

- Provide policy for the transportation planning process;
- Ensure that existing and future expenditures for transportation projects and programs are based on a comprehensive, cooperative, and continuing (3C) planning process;
- Review and adopt changes in the continuing planning process at appropriate intervals and annually review the Transportation Plan;
- Review and approve the Unified Work Program (UWP) and its revisions;
- Review and adopt the Transportation Improvement Program and its revisions, including project priorities and any changes in the priority schedule;
- Establish the initial boundary of the Study Area and periodically review the limits of the Study Area and make revisions as necessary to meet the requirements of 23 CFR Part 450-308;
- Review and adopt the Annual Report of the past year's activities;
- Review and adopt an annual operating budget;
- Adopt such policies and procedures as necessary to provide for the proper management and administration of PBATS;
- Act on recommendations from the Technical Committee, including those relative to certification and re-certification action for the study;
- Meet at intervals necessary to perform its function and when needed, hold public meetings to discuss the status of the Transportation Plan, the Transportation Improvement Program (TIP) and other activities and programs of PBATS;
- Serve as liaison representatives between various agencies in the Study Area to obtain optimum cooperation of all governmental agencies in implementing the various elements of the Transportation Plan;
- Designate such Technical Committee or task forces necessary to carry out the planning process; and
- Employ such staff or otherwise provide for the proper management and administration of the HAS-MPO affairs.

## **POLICY COMMITTEE MEETINGS**

### **Frequency of Meetings**

The Policy Committee shall meet at least two (2) times annually and as necessary to perform its functions. Set meeting dates shall be on the 1<sup>st</sup> Thursday of May and November. The Annual Meeting shall be held in the last quarter (May) of each fiscal year for the adoption for the annual budget for the next operating year and to elect new officers during odd numbered years, and review the status of the transportation planning process and Transportation Plan.

### **Methods of Calling Meetings**

Meetings of the Policy Committee may be called in any of the following ways:

- ◆ The Chairperson may call a meeting;
- ◆ A majority of the voting members as a group may call a meeting by written request to the Chairperson or Study Director; or

- ◆ The Study Director may call a meeting.

The Study Director, or person serving in the capacity of Study Director, shall be notified of all meetings in a timely manner.

### **RESPONSIBILITY FOR MEETING NOTICES**

The Study Director and Coordinator will be advised as soon as possible of meetings called that they do not initiate. It shall be the responsibility of the Study Director to send out written notices of the date, time, place, and nature of the meeting including copies of all proposed resolutions, reports, agenda, etc., to every member of the committee and to provide adequate publicity in advance of each meeting. Notices and documentation should reach the members seven (7) working days in advance of the meeting.

### **MEETING FACILITIES**

It will be the responsibility of the Study Director to make arrangements for a place to have the meeting.

### **SELECTING DATE AND TIME OF MEETING**

It will be the responsibility of the Study Director to select appropriate date(s) and time(s) for unscheduled meeting(s).

### **VOTE OF THE MEMBERSHIP**

Each member shall have one (1) vote. In case of absence, an elected member of the Committee may be represented by a proxy. A majority vote of a quorum at any duly called special or annual meeting shall be sufficient to authorize any action to be taken on behalf of the committee.

### **QUORUM**

Five (5) members, including a minimum of four (4) of the elected officials of the PBATS Policy Committee, shall constitute a quorum of the committee. Representatives who are delegated by elected officials in compliance with the rules established previously under VOTE OF THE MEMBERSHIP shall be counted in the quorum attendance.

### **Executive Sessions**

The Policy Committee may hold executive sessions for the purposes as permitted under the Arkansas Freedom of Information Act (FOIA) and for no other purposes. Executive sessions shall not be opened to the public. Any action taken as a result of an executive session shall be ratified in open public session.

### **ACTION OF COMMITTEE**

Except in cases of emergency or non-technical matters, no action shall be taken by the Policy Committee without a recommendation from a Coordinating Committee; and no reports or documents approved by the Policy Committee process shall be published without prior approval by the State Highway and Transportation Department and the

Federal Highway Administration as specified by the Section 112 Planning Funds Agreement.

## **MINUTES**

The Study Director shall keep a record of the proceedings of the committee and conduct all correspondence. Meeting minutes shall be mailed no later than seven (7) days in advance of the next up-coming meeting.

## **ARTICLE III**

### **OFFICERS**

#### **CHAIRMAN**

The Chairman shall be chosen by a majority vote of the membership. The Chairman shall perform the duties usually assigned to that office, such as preside at all meetings of this committee; and shall cast the deciding vote in case of a tie.

#### **VICE-CHAIRMAN**

The Vice-Chairman shall be chosen by a majority vote of the membership. In the absence of, or in the case of the inability of the Chairman to act, it shall be the duty of the Vice-Chairman to perform all duties of the Chairman.

#### **SECRETARY**

No secretary will be elected from the membership of this committee. The Study Director will furnish the secretarial duties necessary to conduct meetings.

#### **TERM OF OFFICE**

Both the Chairman and Vice-Chairman shall serve a two (2) year term.

#### **TIME OF ELECTION**

The officer election will be held bi-annually at the first meeting of each odd year.

#### **SPECIAL ELECTION**

In the event that the Chairman is unable to serve, the Vice-Chairman shall assume the office of Chairman and call a special election at the next scheduled or semi-annual meeting to fill the office of Vice-Chairman for the remaining portion of the term. Should the Vice-Chairman be unable to serve, the Chairman shall call a special election at the next scheduled or semi-annual meeting to fill the office of Vice-Chairman for the remaining portion of the term. If both Chairman and Vice-Chairman are unable to serve, the Study Director shall call a special election at the next scheduled or semi-annual meeting to fill these vacancies for the remaining portion of the term.

## **OTHER STUDY GROUPS, COMMITTEES AND SUBCOMMITTEES**

The Policy Committee shall establish other study groups, committees and/or subcommittees of the Policy Committee as may be necessary or desired for special purposes or to ensure adequate pro-active public participation in the transportation planning process. When such study groups or committees are formed, the Policy Committee shall provide guidance as to the membership, purpose and duration of said study groups of committees and provide for the manner of appointment of members thereof. Subcommittees of the Policy Committee shall be appointed by the Chairperson.

## **ARTICLE IV**

### **TECHNICAL COMMITTEE**

#### **MEMBERSHIP**

The Technical Committee shall provide planning assistance and advice to the Policy Committee. This group should consist of officials involved in planning activities for their respective organizations. Participation by policy makers, technical staff and citizens is required in order for the MPO to fulfill its responsibilities for transportation planning and programming.

The following positions shall serve as voting members of the Policy Committee:

- One representative from the Southeast Arkansas Regional Planning Commission or than the Study Director
- City of Pine Bluff Street Manager
- Mayor of White Hall
- Manager of Pine Bluff Airport Authority
- Manager of Pine Bluff Transit
- Arkansas State Highway and Transportation Department District Resident Engineer
- Arkansas State Highway and Transportation Department Transportation Planners
- One representative from Pine Bluff Port/The Alliance
- One representative from the Union Pacific Railroad
- Jefferson County Judge
- Jefferson County Road Superintendent

The following positions are served as ex-officio members, which do not have voting rights:

- One representative from the Federal Highway Administration
- One representative from the Federal Transit Administration
- PBATS Study Director, PBATS Technical Committee Chairperson



## **ADDITIONAL MEMBERS**

The Chairman of the Policy Committee may appoint other members from time to time to the Technical Committee as either voting members or ex-officio members. Such appointments may be permanent or temporary for the purpose to address a specific transportation problem or issue. Such appointments shall be made in writing, with a copy of the written notice filed with the Study Director.

## **COMMITTEE RESPONSIBILITIES**

The Technical Committee shall have the following responsibilities:

- Provide technical assistance to the MPO staff in developing, preparing and reviewing the Unified Work Program (UWP), Transportation Improvement Program (TIP), and the Metropolitan Transportation Plan/Long Range Transportation Plan (MTP/LRP) and recommend their adoption to the Policy Committee.
- Advise the Policy Committee on technical and policy matters with accompanying recommendations and supporting rationale.
- Conduct a complete review and, if necessary, revision of all elements of the MTP/LRP at approximate five-year intervals.
- Review studies related to transportation within the study area and make recommendations to the Policy Committee and other agencies.
- Meet at intervals necessary to perform its function.
- Review the limits of the Study Area and make recommendations to the Policy Committee for adoption of revisions as necessary.

## **COMMITTEE MEETINGS**

### **Frequency of Meetings**

- ◆ Technical Committee meetings shall be held as necessary in order for the committee to perform its functions.
- ◆ Meetings may be called by either the Study Director, or person acting in the capacity of Study Director, or any five members as a group may call a meeting by a written request to the Study Director.
- ◆ Technical Committee meetings shall be coordinated with Policy Committee meetings in such a manner as to provide timely preparation of agenda items for the Policy Committee.

### **Responsibility of Meeting Agenda and Notices**

The Study Director shall be responsible for establishing the meeting agenda, setting the date and time for the meetings and arranging for a meeting location. The Study Director shall be responsible for notifying every member of the Technical Committee of the date, time, place and agenda items of the meeting no later than one (1) week prior to any scheduled meeting. Members desiring items included on a meeting agenda shall notify the Study Director no later than ten (10) days prior to the next scheduled meeting. The Study Director shall provide adequate public notice in advance of each meeting.

### **Meeting Facilities**

It will be the responsibility of the Study Director to make arrangements for a meeting place. All Technical Committee meetings shall be held in public facilities open to and accessible by the general public.

### **Quorum**

Fifty-one percent (51%) of the voting members of the Technical Committee shall constitute a quorum of the Committee for the conduct of business. Should a quorum not be present for any duly called meeting, the Committee may hear reports and discuss agenda items but may not vote or otherwise approve, deny or modify any agenda items.

## **VOTING, OFFICERS AND TERMS OF OFFICE**

### **Voting**

The following guidelines shall govern voting by the Technical Committee:

- ◆ Each voting member shall have one (1) vote. Ex-officio members shall not have a vote.
- ◆ A majority vote of the quorum at any duly called Technical Committee meeting shall be sufficient to authorize any action to be taken on behalf of the committee.
- ◆ Voting on all issues shall be by voice vote or a show of hands.
- ◆ Results of voting shall be reported as totals only, to include total votes for, against and abstaining.
- ◆ Each member may designate a proxy to serve at any Technical Committee meeting in the member's absence. Proxies will have the voting rights and privileges of membership when serving in the absence of a Technical Committee member. Written notice designating the proxy must be presented to the Study Director prior to the Technical Committee meeting.

### **Officers**

No officers shall be elected from the membership of this committee. The Study Director or his/her designee shall serve as the Chairpersons of the Technical Committee and MPO staff shall perform the necessary secretarial duties including preparation of committee minutes and correspondence of committee actions to the Policy Committee.

### **Duties of the Chairperson**

- ◆ The Chairperson shall preside at all meetings of the Technical Committee but shall not be entitled to vote.
- ◆ The Chairperson shall represent the Technical Committee at hearings, conferences, and other events as required or designate another Technical Committee member or MPO staff to represent the Chairperson.

**ARTICLE V**  
**STUDY DIRECTOR AND STAFF**

The Study Director and staff shall:

- Take directions from, and report to the Policy Committee.
- Coordinate the duties of all MPO staff as identified in the UWP. Maintain necessary staff to continually execute the transportation planning process.
- Assure compliance with the Federal and State Transportation Planning Regulations by providing reports and certifications to the sponsoring organizations.
- Develop and revise, with cooperation of AHTD and other participants in MPO activities, the MTP/LRP, UWP, TIP and other reports or documents as required by state or federal law for the Pine Bluff Metropolitan Area and obtain their approval.
- Prepare expenditure claims and submit them to AHTD for reimbursement of expenditures.
- Prepare an Annual Performance and Expenditure Report on behalf of the Policy Committee.
- Assist in the preparation of applications for Statewide Transportation Enhancement Programs, Recreational Trails Grants and other appropriate programs.
- Provide staff support for the Policy Committee and the Technical Committee.
- Monitor Technical Committee members' participation in meetings, workshops, etc., to ensure adequate involvement in committee activities.
- Serve as or designate a Chairperson of the Technical Committee.
- Prepare and present to the Policy Committee the Annual Operating Budget.

**ARTICLE VI**  
**AMENDMENT OF BYLAWS**

These Bylaws may be amended by a two-thirds affirmative vote of the Policy Committee membership present and voting at any special or annual meeting of the members, provided that official notice of the proposed amendment is included in the notice of the meeting.

Adopted on the 28th day of August, 2003 Howard Parette, Chairman

Amended y Resolution # 1-2017 on May 4<sup>th</sup>, 2017

ATTEST:

  
\_\_\_\_\_  
Study Director

**PINE BLUFF AREA TRANSPORTATION STUDY**

**RESOLUTION # 1 – 2017**

**A RESOLUTION BY THE POLICY BOARD OF THE PINE BLUFF AREA TRANSPORTATION STUDY (PBATS) ADOPTING AMENDMENT 1 TO THE BYLAWS OF THE PINE BLUFF METROPOLITAN PLANNING ORGANIZATION FOR THE PURPOSE OF CLARIFYING THE OPERATIONAL POLICIES OF THE ORGANIZATION**

**WHEREAS,** the Pine Bluff Area Transportation Study, as the Metropolitan Planning Organization (MPO) for the Pine Bluff metropolitan planning area, is responsible for performing transportation planning activities within the Pine Bluff Metropolitan Planning Area (MPA); and

**WHEREAS,** the Pine Bluff MPO is responsible for maintaining a set of Bylaws in order to fulfill its responsibilities for transportation planning and programming; and

**WHEREAS,** the Pine Bluff MPO Study Director recommends for adoption Amendment One to the Bylaws clarifying the operational policies of the organization.

**NOW, THEREFORE, BE IT RESOLVED** by the Policy Board of the Pine Bluff MPO that:

**SECTION 1:** Amendment One to the Bylaws of the Pine Bluff MPO is hereby adopted.

**SECTION 2:** That this Resolution shall be in effect immediately upon its adoption.

Passed and Approved on this 4<sup>th</sup> day of May 2017.

  
\_\_\_\_\_  
Ken Smith, Policy Board Chairman  
Pine Bluff Metropolitan Planning Organization

I hereby certify that this resolution was adopted by the Pine Bluff MPO in regular session on May 4<sup>th</sup>, 2017.

  
\_\_\_\_\_  
Larry Reynolds, Study Director  
Pine Bluff Metropolitan Planning Organization