

**MEMORANDUM OF UNDERSTANDING  
FOR  
COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION  
PLANNING AND THE  
ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION  
(RPO)**

Between

The County of Chatham and the participating municipalities therein; the County of Lee and the participating municipalities therein; the County of Moore and the participating municipalities therein; and County of Orange; and the North Carolina Department of Transportation (NCDOT) (hereinafter collectively, “the parties”).

**Witnesseth**

**Whereas**, section 135 of Title 23, United States Code, declares that each State shall, with respect to nonmetropolitan areas, cooperate with affected local officials with responsibility for transportation; and consider coordination of transportation plans, the transportation improvement program, and planning activities with related planning activities being carried out outside of metropolitan planning areas and between States; and

**Whereas**, North Carolina General Statute Chapter 136, Article 17 provides for the establishment of Rural Transportation Planning Organizations (RPOs), to work cooperatively with the state to plan rural regional transportation systems and to advise the department on rural transportation policy; and

**Whereas**, the establishment of a RPO will provide rural areas the opportunity to work in partnership with the North Carolina Department of Transportation toward the development of sound, short and long-range transportation planning for rural areas, and for local input to North Carolina’s transportation project prioritization process; and

**Whereas**, the establishment of a RPO will assist NCDOT in complying with the provisions of section 135 of Title 23, United States Code relative to the participation of local officials and the public in the transportation planning process; and

**Whereas**, it is the desire of the parties to undertake a continuing, comprehensive, cooperative transportation planning process with the establishment of a RPO for the four-counties named above.

**Now, therefore**, the following memorandum of understanding is made.

**Section 1:** Establishment of Central Pines RPO.

It is hereby agreed that the Counties of Chatham, Lee, Moore and Orange and the participating municipalities located within those counties not included in a Metropolitan Planning Organization, and the NCDOT, intend to establish and participate in a RPO created for the general purposes and responsibilities outlined below:

1. To develop long-range local and regional multi-modal transportation plans in cooperation with the NCDOT.
2. To provide a forum for public participation in the rural transportation planning process.
3. To develop and prioritize suggestions for transportation projects the RPO believes should be included in the State's Transportation Improvement Program (TIP).
4. To provide local input to North Carolina's transportation project prioritization process.
5. To provide transportation-related information to local governments and other interested organizations and persons.
6. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
7. 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 Responsibility

It is hereby further agreed that the transportation plans and programs and land use policies and programs for the RPO will be coordinated by Central Pines Regional Council, an agency selected on behalf of participating local governments and NCDOT, to be the administrative entity and to serve as the Lead Planning Agency (LPA) for coordinating rural transportation planning in the planning area of the four counties named above. The RPO hereby authorizes LPA to be the recipient of any funds appropriated to the RPO by NCDOT or otherwise obtained by the RPO.

The Central Pines Regional Council will be responsible for initially expending locally derived funds and seeking reimbursement from NCDOT in accordance with the respective funding source.

### **Section 3.** Establishment of Rural Transportation Advisory Committee

A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the RPO. The RTAC shall have the responsibility of keeping local policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and helping to ensure meaningful public participation in the rural transportation planning process.

1. The RTAC will be responsible for carrying out the following:
  - A. Establish goals, priorities, and objectives for the transportation planning process.
  - B. Endorsement and review of changes to adopted transportation plans for 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 that support and enhance both regional and local transportation in the RPO.
2. The membership of the RTAC shall consist of local elected officials or their designees. The RPO staff shall be notified of newly appointed RTAC members (and alternates, if applicable) each year and as or if changes are made.
3. Each member has one vote. The voting membership shall consist of the following:

<b>Governmental Body</b>	<b>Voting Status</b>	<b>Number of Votes</b>
County of Chatham	Yes	1
Municipal Member (1) for Chatham County (elected every 2 years by the County's mayors)	Yes	1
County of Lee	Yes	1
Municipal Member (1) for Chatham County (elected every 2 years by the County's mayors)	Yes	1
County of Moore	Yes	1
Municipal Member (1) for Chatham County (elected every 2 years by the County's mayors)	Yes	1
County of Orange	Yes	1
NCDOT Board of Transportation	Yes	1
<b>TOTAL</b>		<b>8</b>

4. The County Commissioner (and alternate member, if desired) representing each County on the RTAC shall be selected every two years by the Board of County Commissioners of each County in regular session. While individual representation may change at the discretion of the county board of commissioners, each county shall have a seat on the RTAC as long as the county continues to be a member of the RPO. The term of membership for the elected municipal representative from each county shall be two year(s). At the end of each two-year term, the mayors of the municipalities within each county that are not included within the jurisdiction of an MPO, shall caucus and select a municipal representative from the county. Municipal representatives who have just completed a two-year term are eligible to serve additional terms if selected by the county's municipal caucus.

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 RTAC without the county being a member of the RPO.

5. The RTAC will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its voting membership, the RTAC shall appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities.

6. An alternate may be designated for each member providing they meet the same criteria as the original appointee. All RTAC members and alternates shall be elected officials of their representative body. An RPO RTAC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality.
7. The LPA will serve as staff to the RTAC.

**Section 4.** Establishment of the Rural Technical Coordinating Committee

A Rural Technical Coordinating Committee (RTCC) 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 RTAC regarding any necessary actions relating to the continuing transportation planning process.

1. The RTCC shall be responsible for the development, review, and recommendation for approval of the PWP for the RPO, the Transportation Improvement Program, and revisions to the Transportation Improvement Program.
2. Membership of the RTCC shall include technical representatives from all local and state government agencies and transportation service providers directly related to and concerned with the transportation planning process for the RPO planning area. RTCC membership may include, but may not be limited to, the following:

<b>RTCC Member Organization</b>	<b>Voting Status</b>	<b>Number of Votes</b>
County Manager (County of Chatham), Planning Director or designated representative	Yes	1
County Manager (County of Lee), Planning Director or designated representative	Yes	1
County Manager (County of Moore), Planning Director or designated representative	Yes	1
County Manager (County of Orange), Planning Director or designated representative	Yes	1
The Chief Administrative Official, Planning Director, or designated representative from each municipality in the RPO planning area that is a member of the RPO	Yes	1 per Municipality
Executive Director, Central Pines Regional Council or designated representative	Yes	1
Representative, Transportation Planning Division, North Carolina Department of Transportation, or designated representative	Yes	1
Division 7 Engineer, Division of Highways, North Carolina Department of Transportation, or designated representative	Yes	1
Division 8 Engineer, Division of Highways, North Carolina Department of Transportation, or designated representative	Yes	1
Representative, Integrated Mobility Division, North Carolina Department of Transportation, or designated representative	Yes	1
<b>TOTAL—Depends on Participating Member</b>		

<b>RTCC Member Organization</b>	<b>Voting Status</b>
FHWA	No
Additional non-voting member organizations may be added,	No

3. Each member listed with a “Yes” voting status (as shown in the table) on the RTCC shall have one vote. Additional voting representatives on the RTCC (in accordance with the table above) shall have one vote.
4. Membership of the RTCC may be altered on the basis of a majority vote of its membership and approval of the RTAC of the RPO.
5. The RTCC shall meet when it is deemed necessary, appropriate, and advisable. A Chairperson will be elected from the membership with the responsibility for coordinating the RTCC’s activities.
6. An alternate may be designated for each member providing they meet the same criteria as the original appointee. Membership may be further defined in the duly adopted bylaws. An RPO RTCC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality.
7. The LPA will serve as staff to the RTCC.

#### **Section 5.** RPO Meetings

The RTAC and RTCC, as well as any established subcommittees, are responsible for carrying out the provisions of North Carolina General Statute Chapter 143, Article 33C regarding open meetings, and Chapter 132 regarding public records. In addition:

1. A quorum is required for transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting public business. A quorum consists of 51% of the members of the RTAC or RTCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. Vacant seats will not count against the quorum.
2. RTAC and RTCC members or alternates should be identified by name on the meeting attendance log. Meetings shall be held when it is deemed appropriate and advisable, but will meet with the necessary regularity to ensure adequate performance of duties as described herein.
3. Any member who does not attend two consecutive RTAC or RTCC meetings will not be included as part of the membership needed to obtain a quorum after the second missed meeting. Membership, however, is immediately reinstated by the presence of the most recently appointed member (or his alternate) at any future meeting.

**Section 6.** Agency Participation

It is further agreed that all participating agencies will assist in the Rural Transportation Planning process by providing planning assistance, data, and inventories in accordance with the approved work program.

**Section 7.** Withdrawal from Central Pines RPO

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving written notice of termination to the RPO 90 days before the end of the state fiscal year.

**Section 8.**

Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days of the last County adoption, by submitting a fully executed Municipal Statement of Adoption. Any municipality desiring to join the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join and provide each with a copy of a fully executed Municipal Statement of Adoption. New memberships will become effective on January 1st of each year.

**Section 9.**

In witness whereof, the parties of the Memorandum of Understanding have been authorized by appropriate and proper resolutions and/or legislative authority to sign this Memorandum of Understanding, which becomes effective as of the last day signed. The following pages comprise the signature pages from each party to this Memorandum.

**Section 10.**

**County Example – each county will have its own page**

**This “MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION”**

for the Counties of Chatham, Lee, Moore and Orange counties and the participating municipalities in each county is hereby adopted by the [name of county] County Board of Commissioners, this the \_\_\_ day of \_\_\_\_\_, 20\_\_.

[County name] \_\_\_\_\_

By: [Signature of authorized representative]  
Typed name of authorized representative  
[Title or position]

[Signature of Clerk] \_\_\_\_\_

Typed name of Clerk

Clerk to Board

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