

BY-LAWS

Evansville Metropolitan Planning Organization

www.evansvillempo.com

Adopted June 5, 2014

Amended November 12, 2020



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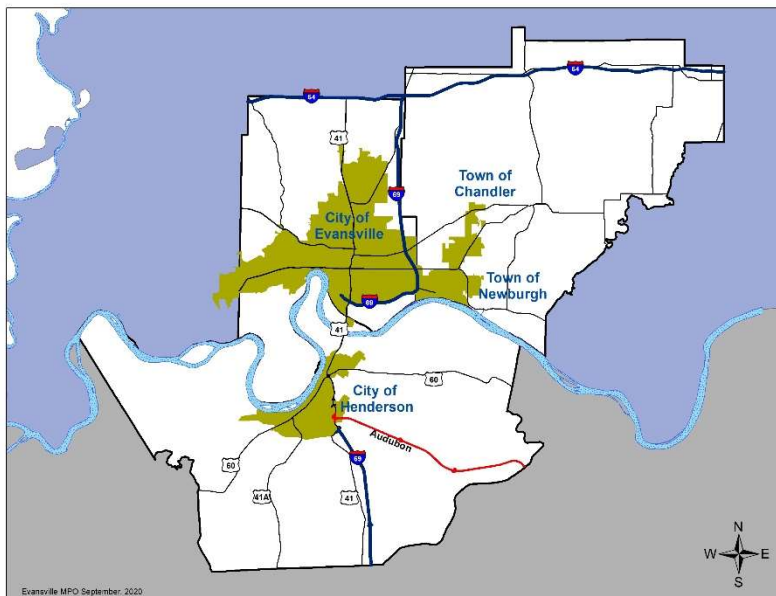
Background:

Federal Legislation requires the establishment of a Metropolitan Planning Organization (MPO) in urban areas where the population exceeds 50,000 people for the purpose of conducting a cooperative, comprehensive and continuing transportation planning process.

I. DESIGNATED METROPOLITAN PLANNING ORGANIZATION (MPO) AND METROPOLITAN PLANNING AREA (MPA) FOR THE EVANSVILLE-HENDERSON AREA

A. The Evansville Metropolitan Planning Organization (Evansville MPO) is the designated MPO for the Evansville-Henderson Metropolitan Area.

MAP 1: shows the Evansville-Henderson Metropolitan Planning Area and the Evansville Urbanized Area which is shaded in green.



B. Following approved changes to the urbanized area, elected officials from municipalities within the new area shall be notified.

C. The Policy Committee of the Evansville MPO is the body that approves all transportation-related activities of the MPO.

(MPA) Evansville MPO Planning Area

The area includes the City of Evansville and the Town of Newburgh, all of Vanderburgh County, and all of Warrick County in Indiana. The City of Henderson and all of Henderson County in Kentucky is also included.

Urbanized Area-

A census designated urban area with 50,000 residents or more that includes transportation centers, shopping centers, major places of employment and other major trip generators near the edge of the urbanized boundary.

II. MPO ROLE

- A. To develop and direct a continuing and comprehensive transportation planning process that is conducted cooperatively with the States and Local Public Agencies (LPA's) in concurrence with Federal guidelines.
- B. To advise the Evansville MPO Policy Committee on the status of needs identified through the transportation planning process.
- C. To assist the general public in understanding decisions and policies of the Evansville MPO Policy Committee.
- D. To evaluate short and long-range transportation needs and prepare plans to address those needs.
- E. To provide early and continued guidance of elected and appointed officials in the planning and development of transportation systems.
- F. To provide sound framework for cooperative Federal, State, regional, and local efforts for organizing transportation development.
- G. To serve the local public agencies for developing and evaluating policies and guidelines for use in shaping transportation development.
- H. To eliminate to the extent possible duplication of effort, unnecessary or unrealistic requirements, costly delays and confusing processes within the transportation planning arena.
- I. To achieve consistency of planning principles, philosophies and procedures consistent with Federal, State and local laws, rules and regulations.
- J. To make recommendations and decisions based on the consequences of and consistency with local, regional, state and national transportation goals, significance to the quality of life, impacts upon the environment and natural resources, technical and financial feasibility, and effects on related transportation modes and inter-governmental relationships.
- K. To promote cooperative agreements, contacts and other compacts among and between the governments, and their political subdivisions, agencies, departments, instrumentalities, and special districts, private persons, corporations and other interested agencies in the MPA.
- L. To receive and expend funds and grants from any federal, state or local government or any of their political subdivisions, agencies, departments, instrumentalities, or special districts or from any private or civic source; to contract with, and to do all other things reasonably necessary to carry out the activities of the MPO.
- M. To provide coordinated planning services to the appropriate federal, state and local governments and their political subdivisions to engage in transportation planning in matters affecting the transportation network, capital improvements, metropolitan and regional developments, land use, health, welfare, safety and security and any other type of project essential to transportation planning and development within the MPA. Such planning may be done directly by MPO staff or under contracts between the MPO and private consultants.

III. RESPONSIBILITIES

- A. Establishment of goals and objectives for the transportation planning process.
- B. Consideration of the planning factors outlined in the FAST Act (Fixing America’s Surface Transportation) and any subsequent Federal transportation bills and planning emphasis areas identified annually by FHWA and FTA in the preparation of the Unified Planning Work Program (UPWP) and in the Metropolitan Transportation Plan.
- C. Preparation of the UPWP in cooperation and consultation with the Indiana Department of Transportation (INDOT), the Kentucky Transportation Cabinet (KYTC), the Metropolitan Evansville Transit System (METS), the Henderson Area Rapid Transit (HART) , the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).
- D. Provision of pertinent certifications to INDOT, KYTC, FHWA, and FTA pertaining to the conduct of the transportation planning process for the MPA.
- E. Completion and updating of the Evansville MPO Metropolitan Transportation Plan.
- F. Completion and updating of the Evansville MPO Air Quality Conformity determination document for the Metropolitan Transportation Plan and the Transportation Improvement Program as applicable.
- G. Development and maintenance of the Evansville MPO Transportation Improvement Program.

IV. ORGANIZATIONAL STRUCTURE/ MEMBERS

- A. The MPO organizational structure consists of the Evansville MPO Policy Committee, the Evansville MPO Technical Committee and the Evansville MPO Citizens Advisory Committee.
- B. The Evansville MPO Citizens Advisory Committee is a project-specific committee and consists of members with expertise for each project.
- C. If a Committee member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed and the member shall abstain from voting (2 CCR 18700).

A. The Evansville MPO Policy Committee will include elected and appointed representatives from the LPAs within the Evansville MPO Urbanized Area. Each representative gets one (1) vote. Representatives will be selected by the respective governing body.

Governing Body	Number of Representatives
City of Evansville <ul style="list-style-type: none"> • 2 City Council • 2 Mayoral 	4
City of Henderson	1
County of Henderson	1
Town of Newburgh	1
Vanderburgh County <ul style="list-style-type: none"> • 2 Vanderburgh County Commission • 1 Vanderburgh County Council 	3
Warrick County	1
Indiana Department of Transportation *	1
Kentucky Transportation Cabinet *	1
TOTAL	13

*These agencies are represented as voting members on the Policy Committee; however, they are not subject to the local share consideration in section C ii.

NON VOTING POLICY MEMBERS (serve as advisory non-voting members)	
1	Environmental Protection Agency Region V
2	Federal Transit Administration Region V
3	Indiana Department of Environmental Management
4	Indiana Federal Highway Administration
5	Kentucky Division of Air Quality
6	Kentucky Federal Highway Administration

- i. Each LPA's elected official(s) shall designate the representative for that LPA.
- ii. Members must be current on payment of their local share to be eligible to vote.
- iii. Representatives shall remain a member until a successor has been named by the LPA. Each LPA shall provide a letter to the MPO by February 1 of each year noting the official representative and eligible alternate(s) (proxy).
- iv. The use of a proxy requires notification in writing before the Policy Committee meeting. Mail, e-mail, or fax are acceptable methods of notification.
- v. Quorum consists of the simple majority of the entire voting Committee membership.
- vi. Actions of the Policy Committee are approved by a majority vote and are only considered valid if the quorum is met.
- vii. Additional governmental members may be admitted to the Policy Committee, with the approval of the Policy Committee, by adopting and becoming a party to these bylaws.

B. The Evansville MPO Technical Committee includes the technical staff of the Evansville MPO Policy Committee plus other represented LPAs, as recommended by FAST ACT and subsequent federal transportation acts, to conduct the transportation planning process. Technical Committee members also include but are not limited to: freight, transit, port authorities, railroads, schools, and State and Federal agencies. Actions by the Technical Committee are advisory to the Policy Committee.

- i. Any sub-recipient of Section 5310 funds through the Evansville MPO selection process must attend at least three technical meetings during the year to be eligible for Section 5310 funding.
- ii. The responsibilities of the Technical Committee shall include the following:
 - Provide general guidance in carrying out the cooperative transportation planning process.
 - Advise on technical procedures and standards for conducting the cooperative transportation planning process.
 - Recommend alternative transportation system plans and programs for consideration by the Evansville MPO Policy Committee.
 - Coordinate programs that involve multi-agency responsibility and/or impact.
 - Establish special task forces as required to meet the Evansville MPO Technical Committee purposes, and coordinate their assignments.
 - Review progress on the transportation planning process; review activities and reports for technical sufficiency, accuracy, and completeness of studies, plans and programs.
 - Review proposed project plans significantly impacting the transportation system for compatibility with the adopted system plan.
 - Develop and review transportation system plans and programs and make recommendations to the Policy Committee.

C. The Selection Committee shall serve as an ad hoc committee to the Policy Committee.

- i. The Chair of the Policy Committee shall serve on the Selection Committee.
- ii. Three (3) other Policy Members may be elected to serve on the Selection Committee.
- iii. All matters before the Selection Committee shall be decided by a majority vote of the voting members present at the meeting. Each voting member of the Selection Committee shall be entitled to one (1) vote.
- iv. The responsibilities of the Selection Committee are as follow:
 - Select and Employ an Executive Director. The Executive Director shall have the authority to employ, assign, supervise, and terminate all employees and staff of the Evansville MPO within the framework and general limitations and policies established by the Policy Committee.
 - Review and advise any Title VI, Environmental Justice, or Discrimination case that cannot be resolved with the MPO first.
 - Act as Step 3 in the Evansville MPO Handbook under Section 2.90.315 for Problem Resolutions that cannot first be resolved in Steps 1 & 2 with the Executive Director.
 - Review and advise on salary structure or changes in salary.

V. OFFICERS

A. The officers of the Evansville MPO Policy Committee and the Evansville MPO Technical Committee shall consist of a Chair and a Vice-Chair.

B. The Chair and Vice-Chair shall be elected annually from the eligible voting members at a regularly scheduled meeting in the first quarter of the calendar year. The newly elected Chair and Vice-Chair shall take office immediately following the election. The Chair must have served as an MPO eligible voting member for one year immediately prior.

Additional elections may be held if either the Chair or Vice-Chair cannot carry out his/her duties and complete the remainder of the appointed term.

C. The term of office for officers shall be one year. Officers may serve unlimited terms.

D. The Policy Chair shall preside at Evansville MPO Policy Committee meetings, including special meetings as appropriate. The Chair shall work with the MPO staff to set the order of business for each meeting. In the Chair's absence, the Vice-Chair shall preside and complete all other duties of the Chair. In the event that the Chair is unable to carry out his/her duties for the remainder of the term, the Vice Chair shall carry out the functions of the Chair for the remainder of the year or until elections can be held.

E. The Policy Chair shall be a signatory in addition to the Executive Director for contracts, financial agreements, and bank accounts.

F. The Technical Chair shall preside at Evansville MPO Technical Committee meetings. In the Chair's absence, the Vice-Chair shall preside and complete all other duties of the Chair. In the event that the Chair is unable to carry out his/her duties for the remainder of the term, the Vice Chair shall carry out the functions of the Chair for the remainder of the year.

VI Funding

A. Participation in the metropolitan planning process is contingent upon the following requirements:

1. *Each local public agency* within the Evansville-Henderson Metropolitan Planning area is required to contribute its local share of the metropolitan transportation planning function.

a. The local share is determined by a number of factors that may include the following:

- Population
- Road Mileage
- Employment Data
- Air Quality Determination
- Level of Effort
- Amount of Federal Funding
- Jurisdiction of Federal Funding
- Type of Federal Funding

b. Eligible voting members are defined as those who contribute their local share and the agencies defined in Section IV above.

c. Each LPA must commit to the provision of the local share when the annual budget is approved. A commitment is solidified by signing the budget.

d. If an LPA decides to opt in after a budget is in place, it must pay its local share of the local match retroactive to the start of the current budget.

e. The contribution of the local match is required in order to be eligible for use of Federal Funds other than PL that may come available to the MPO for use in UPWP activities. Should these special funded projects arise, an agreement will be signed between the Evansville MPO and the LPA that the LPA will contribute the local match of the project in addition to the local share in the original budget.

Local Share

The local share is the non-federal amount of funds needed to match the Federal funds allocated to the MPO for the MPO to operate and carryout its business. These amounts are listed annually in the UPWP.

Local Match

The local match is the non-federal amount of funds needed to match Federal funds used for transportation projects. These projects can include but are not limited to construction projects, education projects, etc. but are usually specific to a certain area.

VII. MEETINGS

- A. Meetings of the Evansville MPO Technical and Policy Committee will be held regularly, every other month. The Chair may cancel regular meetings should there be a conflict with holidays or insufficient business on the Committee's tentative agenda.
- B. Special meetings may be called by the Chair with one week's notice, or at the request of the majority of the eligible voting members. Whenever possible, at least seven (7) calendar days notice shall be given.
- C. An Executive Session may be called at the request of the Policy Chair or Policy Member, in which the meeting will be open only to voting members in accordance with Section 6.1 of the Indiana's Open Meetings Law.
- D. A quorum of the Evansville MPO shall be constituted by a simple majority of the entire eligible voting members.
- E. Each member shall be expected to attend each regular meeting. When eligible voting members (or their authorized alternates) do not attend (3) consecutive Evansville MPO Policy meetings, the Chair will send a letter to the chief elected/appointed officer of the LPA indicating the number of absences and requesting reaffirmation or re-designation of the LPA's representative.
- F. Meeting agendas will be distributed at least one week prior to the Evansville MPO meetings. Items on the agenda originate from the MPO staff and pertain to pertinent items of business that the MPO must complete. Items may also be placed on the agenda at the request of the Chair.
- G. The MPO shall conduct its business in compliance with the State of Indiana's Open Meetings Law.
- H. The Evansville MPO will follow Federal and state regulations and state and local executive orders that may impact the ability to hold meetings.

VIII. VOTING PROCEDURES

- A. Any member may request and make a motion for a vote on any issue, provided that it is seconded and within the roles and responsibilities set forth in Sections II and III of these By-Laws and provided the issue is on the agenda as outlined in Section VI of these By-Laws.
- B. The Chair and voting members (or their qualified alternates) are permitted to vote. Non-voting members and unauthorized alternates are not permitted to vote. Members may abstain from voting on an issue.

IX. AMENDMENTS TO BY-LAWS

Amendments to these By-Laws of the Evansville MPO shall require the affirmative vote of at least one-half of the Evansville MPO Policy Committee, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is considered.

SIGNATURE PAGE

The signatures herein certify these Bylaws, dated November 12, 2020 have been adopted by the Evansville Metropolitan Planning Organization Policy Committee.

Jack Corn Jr., Chairman, Evansville City Council Appointee
Rusty Fowler, Vice-Chair, Indiana Department of Transportation
Mayor Lloyd Winnecke, Evansville Mayor
Todd M. Robertson, Evansville Mayoral Appointee
Ronald K. Beane, City Council
Jeff Hatfield, Vanderburgh County Commissioner
Gene Pfeiffer, Vanderburgh County Commission Appointee
Angela Koehler Lindsey, Vanderburgh County Council
William "Buzzy" Newman, Henderson City Manager Appointee
William Hubiak, Henderson County Appointee
Dan Saylor, Warrick County Commissioner
Christy Powell, Newburgh Town Board
Deneatra Henderson, Kentucky Transportation Cabinet

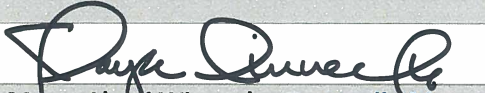
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