

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

The Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington and the municipalities therein, and the North Carolina Department of Transportation.

WITNESSETH

Whereas, section 135 of Title 23, United States Code, declares that it is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively; and

Whereas, North Carolina General Statute 136-18 was amended by the North Carolina General Assembly by ratification of Senate Bill 1195 on July 6, 2000, and this same bill was signed by the Governor on July 14, 2000, and subsequently Chaptered, and which Chaptered statute provides for the establishment of Rural Transportation Planning Organizations (RPO), similar in concept to Metropolitan Planning Organizations (MPO), for transportation planning in North Carolina's urban areas; and

Whereas, the establishment of a Rural Transportation Planning Organization (RPO), similar in concept to the urban Metropolitan Transportation Planning Organizations (MPO) would provide rural areas the opportunity to work in partnership with the North Carolina Department of Transportation toward development of sound, short and long-range transportation planning for rural areas; and,

Whereas, the establishment of a Rural Transportation Planning Organization for the ten counties in the Region R area would assist the North Carolina Department of Transportation in complying with the provisions of the Transportation Equity Act for the 21st Century (TEA 21), enacted June 9, 1998, relative to the participation of local officials and the public in the transportation planning process; and,

Whereas, it is the desire of these local governments and agencies to establish a continuing, comprehensive, cooperative transportation planning process with the establishment of a Rural Transportation Planning Organization for the ten-county Region R Planning Area.

Now, therefore, the following memorandum of understanding is made this the 13th day of September, 2007.

Section 1. It is hereby agreed, that the County of Camden, the County of Chowan, the County of Currituck, the County of Dare, the County of Gates, the County of Hyde, the County of Pasquotank, the County of Perquimans, the County of Tyrrell and the County of Washington, and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlines in the following:

1. To develop long-range local and regional multi-modal transportation plans in cooperation with the North Carolina Department of Transportation.
2. To provide a forum for public participation in the rural transportation planning process.
3. To develop and prioritize suggestions for transportation projects, which the Rural Transportation Planning Organization believes, should be included in the State Transportation Improvement Program.
4. To 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 undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Region R Council of Governments, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the lead local planning agency for coordinating transportation planning in the ten county planning area. The RPO hereby authorizes the Albemarle Commission to be the recipient of any funds appropriated to the RPO by the North Carolina Department of Transportation pursuant to NC General Statute 136-213 (c).

Section 3. Establishment of Rural Transportation Advisory Committee (RTAC). 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 Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility for keeping the policy 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 policy boards; 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 rural 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 that support and enhance both regional and local transportation in the four county RPO

2.

The membership of the Rural Transportation Advisory Committee shall consist of the following:

- A. One County Commissioner (or designee) representing the County of Camden.
- B. One County Commissioner (or designee) representing the County of Chowan. One municipal elected official (or designee) from the local government in Chowan County.
- C. One County Commissioner (or designee) representing the County of Currituck
- D. One County Commissioner (or designee) representing the County of Dare. One municipal (or designee) elected official from each municipal local government in Dare County.
- E. One County Commissioner (or designee) representing the County of Gates. One municipal elected official (or designee) from the municipal local government in Gates County
- F. One County Commissioner (or designee) representing the County of Hyde.
- G. One County Commissioner (or designee) representing the County of Pasquotank. One municipal elected official (or designee) from the municipal local government in Pasquotank County.
- H. One County Commissioner (or designee) representing the County of Perquimans. One municipal elected official (or designee) from each municipal local government in Perquimans County.

- I. One County Commissioner (or designee) representing the County of Tyrrell. One municipal elected official (or designee) from the municipal local government in Tyrrell County.
 - J. One County Commissioner (or designee) representing the County of Washington. One municipal elected official (or designee) from each municipal local government in Washington County.
 - K. One member of the Region R Council of Governments Executive Board.
 - L. One member of the North Carolina Board of Transportation representing the Department of Transportation Division 1.
3. The County Commissioner representing each County on the RTAC shall be elected every two years by the Board of County Commissioners of each County in regular session. The municipal RTAC representative shall be selected by the municipal elected board of each municipality in regular session every two years. The term of office for all seats on the RTAC is two years. Re-appointment is possible.
 4. To facilitate staggered terms and thereby promote continuity, the initial appointments of the Camden, Chowan, Currituck and Dare RTAC members shall be for one (1) year. All subsequent appointments shall be for two (2) years.
 5. An RPO TAC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to three consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.
 6. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its county representatives (Ref. 2. - A. through J.), the Rural Transportation Advisory Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committees activities. In all regards, voting privileges shall be limited to the ten county commissioners (or designee) representing their respective counties and the member of the North Carolina Board of Transportation representing DOT Division I.
 7. The Transportation Planner of the Region R Council of Governments will serve as staff to the RTAC.

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

1. The RTCC shall be responsible for development, review, and recommendation for approval of the rural transportation planning work program for the RPO, the Transportation Improvement Program, and revisions to the Transportation Improvement Program.
2. Membership of the Rural Transportation Coordinating Committee (RTCC) shall include technical representatives from all local and state governmental agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
 - A. County Manager (or his/her designee) from each of the ten counties of the RPO planning area.
 - B. The Chief Administrative Official (or his/her designee) from each municipality in the Region R RPO planning area.
 - C. Division Engineer serving the 1st Division of Highways, North Carolina Department of Transportation, or his/her designated representative.
 - D. Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or his/her designated representative.
 - E. Area Traffic Engineer, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
3. The Rural Transportation Coordinating Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Transportation Coordinating Committee will be staffed by the Region R Transportation Planner who will assist the Chairperson with the responsibility for coordinating the committee's activities. Membership of the Rural Transportation Coordinating Committee may be altered on the basis of a majority vote of its membership and approval of the Rural Transportation Advisory Committee of the RPO.
4. An RPO TCC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or

municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.

5. The Rural Transportation Coordinating Committee (RTCC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its county representatives (Ref. 2. - A. through J.), the Rural Transportation Coordinating Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committees activities.
6. The Transportation Planner of the Region R Council of Governments will serve as staff to the RTCC.

Section 5. It is further agreed that all participating agencies will assist in the rural transportation planning process by providing planning assistance (where possible), data, and inventories in accordance with the approved PWP.

Section 6. Each county and its RPO member jurisdictions shall have the support of the RPO staff in developing local transportation projects and priorities. Each member agrees to coordinate its transportation plans with those of other RPO members. Additionally, by consensus, the RPO may identify projects of a regional nature for development and presentation to NCDOT for consideration.

Section 7. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

Section 8. Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10, 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 July 1st of each year.

Section 9. This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the Parties regarding the RPO.

Section 10. In witness whereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, this the 7 day of April.

BY:

• COUNTY OF CAMDEN

[Signature]
Chairman

• COUNTY OF CURRITUCK

[Signature]
Chairman

• COUNTY OF CHOWAN

[Signature]
Chairman

• COUNTY OF DARE

[Signature]
Chairman

• COUNTY OF GATES

[Signature]
Chairman

• COUNTY OF HYDE

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Chairman

• COUNTY OF PASQUOTANK

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Chairman

• COUNTY OF TYRRELL

[Signature]
Chairman

• COUNTY OF PERQUIMANS

[Signature]
Chairman

• COUNTY OF WASHINGTON

[Signature]
Chairman

• ALBEMARLE PLANNING COMMISSION (LPA)

[Signature]
Chairman

• NCDOT

[Signature]
Secretary

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Clerk to the Board

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Clerk to the Board

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Clerk to the Board

[Signature]
Executive Director

Approved as execution

[Signature]
Assistant Attorney General