

AMENDED MEMORANDUM OF UNDERSTANDING

FOR

COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION
PLANNING

Between

THE CITY OF GOLDSBORO, VILLAGE OF WALNUT CREEK, COUNTY OF
WAYNE, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WITNESSETH

THAT WHEREAS, the City of Goldsboro, Village of Walnut Creek, County of Wayne, and The North Carolina Department Of Transportation (NCDOT) entered into a Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning, last amended on December 2, 1992, regarding the Goldsboro Urban Area Metropolitan Planning Organization (MPO);

WHEREAS, each MPO is required to develop a comprehensive transportation plan in cooperation with NCDOT and in accordance with 23 U.S.C. § 134, any subsequent amendments to that statute, and any implementing regulations;

WHEREAS, the transportation plan, once adopted by the MPO and NCDOT, shall be the basis for future transportation improvements within the MPO; and,

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE, the following Memorandum of Understanding is made.

Section 1. It is hereby agreed that the CITY OF GOLDSBORO, VILLAGE OF WALNUT CREEK, COUNTY OF WAYNE, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION in cooperation with the UNITED STATES DEPARTMENT OF TRANSPORTATION, will participate in a continuous planning process as related in the following paragraphs:

1. The Metropolitan Planning Organization in the Goldsboro Urban Area includes the boards of general purpose local government – Goldsboro City Council; Walnut Creek Village Council; Wayne County Board of Commissioners; The North Carolina Board of Transportation; a Transportation Advisory Committee hereinafter defined; a Technical Coordinating Committee hereinafter defined; and the various agencies and

units of local and State government participating in the transportation planning for the area.

2. The area involved, the Goldsboro Urban Area MPO Metropolitan Area Boundary, will be the Goldsboro Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, plus that area beyond the existing urbanized area boundary that is expected to become urban within a twenty year planning period.
3. The projected Metropolitan Area Boundary will be periodically re-assessed and revised in the light of new developments and basic data projections for the current planning period.
4. The continuing transportation planning process will be a cooperative one and all planning discussions will be reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipality of Goldsboro, Village of Walnut Creek, and the County of Wayne.
5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
6. Transportation policy decisions within the planning area are the responsibility of the Goldsboro City Council; Walnut Creek Village Council; Wayne County Board of Commissioners; and The North Carolina Board of Transportation.
7. Transportation plans and programs and land use policies and programs, for the local urbanized area, having regional impacts will be coordinated with the Eastern Carolina Council of Governments (via the Eastern Carolina Rural Planning Organization), an agency established by the City of Goldsboro, Village of Walnut Creek, Wayne County, and other municipalities and counties of the North Carolina Council of Governments Region P.
8. A Transportation Advisory Committee is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Goldsboro Urban Area Metropolitan Planning Organization. The Transportation Advisory Committee shall have the responsibility for keeping the 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 ensuring meaningful citizen participation in the transportation planning process.

The Transportation Advisory Committee will be responsible for carrying out the provisions of 23 U.S.C. 134, including:

- a. Review and approval of the transportation Planning Work Program which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- b. Review and approval of the Metropolitan Transportation Improvement Program for multi-modal capital and operating expenditures and to ensure coordination between local and State capital and operating improvement programs;
- c. Endorsement, review and approval of changes to the adopted Long Range Transportation Plan. As required by the North Carolina General Statutes Section 136-66.2(d), revisions in the Transportation Plan must be jointly approved by the MPO and the North Carolina Department of Transportation;
- d. Endorsement, review and approval of changes to the Federal-Aid Functional Classification System and the Goldsboro Adjusted Urbanized Area;
- e. Establishment of goals and objectives for the transportation planning process; and
- f. Adoption of bylaws for the purpose of establishing operating policies and procedures.

The membership of the Transportation Advisory Committee shall include:

- a. Two members of the Goldsboro City Council and one Alternate;
- b. One member of the Walnut Creek Village Council and one Alternate;
- c. One member of the Wayne County Board of Commissioners and one Alternate;
- d. One member of the North Carolina Board of Transportation;

Representatives from each of the following bodies will serve as non-voting members of the Transportation Advisory Committee.

- Federal Highway Administration (FHWA) North Carolina Division, Planning and Program Development Engineer;
- ✓- Goldsboro Urban Area Coordinator, Transportation Planning Branch, North Carolina Department of Transportation;

- City of Goldsboro, MPO Coordinator
- Division 4 Engineer and or Division 4 Project Engineer, North Carolina Department of Transportation;
- District 3 (Division 4) Engineer and or Assistant District Engineer, North Carolina Department of Transportation;
- Goldsboro/Wayne County Public Transportation Authority;
- Other local, State, or Federal agencies impacting transportation in the planning area at the invitation of the TAC.

The Transportation Advisory Committee will meet as often as it is deemed appropriate and advisable. On the basis of majority vote, the Transportation Advisory Committee may appoint a member of the Committee to act as Chairperson with the responsibility for coordination of the Committee's activities. A staff member of the Goldsboro Planning Department will serve as Secretary to the Committee.

9. A Technical Coordinating Committee (TCC) shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local and State governmental agencies and the Transportation Advisory Committee regarding any necessary actions relating to the continuing transportation planning process. The Technical Coordinating Committee shall be responsible for development, review, and recommendation for approval of the Planning Work Program, Transportation Improvement Program, Metropolitan Area Boundary, revisions to the Long Range Transportation Plan, planning citizen participation, and documentation reports of the MPO.

Membership of the Technical Coordinating Committee shall include technical representatives from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area. Initially, the membership shall include, but not be limited to, the following:

- a. Director of Planning and Community Development, City of Goldsboro;
- b. MPO Coordinator and Senior Transportation Planner, City of Goldsboro;
- c. City Engineer, Goldsboro Engineering Department;
- d. Manager, City of Goldsboro;
- e. Wayne County Manager;
- f. Wayne County Planning Director;
- g. Representative from the Village of Walnut Creek;
- h. Representative from Seymour Johnson Air Force Base;
- i. Goldsboro/Wayne County Public Transportation Authority;

- j. Goldsboro/Wayne County Airport Authority;
- k. Representative from the Wayne County Development Alliance, Inc.;
- l. Representative from the Wayne County Chamber of Commerce;
- m. Goldsboro Urban Area Coordinator, Transportation Planning Branch, North Carolina Department of Transportation;
- n. Division 4 Engineer and or Division Project Engineer, Division of Highways, North Carolina Department of Transportation;
- o. District 3 (Division 4) Engineer and or Assistant District Engineer, North Carolina Department of Transportation;
- p. Representative, Public Transportation Division, North Carolina Department of Transportation;

Representatives from each of the following bodies will serve as non-voting members of the Technical Coordinating Committee.

- q. Federal Highway Administration (FHWA) North Carolina Division, Planning and Program Development Engineer;
- r. Transportation Planner, Eastern Carolina Rural Planning Organization;
- s. Other local, State, or Federal agencies impacting transportation in the planning area at the invitation of the TCC.

The Technical Coordinating Committee shall meet when it is deemed appropriate and advisable. On the basis of majority vote of its membership, the Technical Coordinating Committee may appoint a member of the Committee to act as Chairperson with the responsibility for coordination of the Committee's activities. On the basis of majority vote of its membership, the Technical Coordinating Committee may also appoint a Vice-Chair to lead meetings in the absence of the Chair. Membership to the Technical Coordinating Committee may be altered on the basis of a majority vote of its membership, provided all agencies with TAC membership are represented.

- 10. The Goldsboro City Council; Walnut Creek Village Council; Wayne County Board of Commissioners; and The North Carolina Board of Transportation shall serve as the primary means for citizen input to the continuing transportation planning process. The Transportation Advisory Committee may initiate other vehicles to solicit citizen input at its discretion.
- 11. The Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC), as well as any established sub-committees 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. A Quorum is

required for the 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 TAC or TCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. An alternate may be appointed to attend meetings should the member not be able to attend. Alternates should be identified by position in the bylaws and by name in the membership roster. Vacant seats as defined in the bylaws will not count against the quorum. Electronic meetings are allowed as long as public notice is given and location for listening to the meeting is provided.

Section 2. It is further agreed that the subscribing agencies will have the following responsibilities, these responsibilities being those most logically assumed by several agencies:

City of Goldsboro

The City of Goldsboro shall serve as the Lead Planning Agency and will provide the Staff of the MPO, including the Local Area MPO Coordinator and a Secretary to the TAC and the TCC. As such, Staff will maintain the official records of the MPO and all state and federal reporting and budgetary requirements in cooperation with the North Carolina Department of Transportation staff. The City will further assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Planning Work Program. Additionally, the City shall coordinate zoning and subdivision approvals within its jurisdiction in accordance with the adopted Transportation Plan.

Village of Walnut Creek

The Village of Walnut Creek will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Planning Work Program. Additionally, the Village shall coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Transportation Plan.

Wayne County

Wayne County will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Planning Work Program. Additionally, Wayne County shall, to the extent allowed by State law, coordinate zoning and subdivision approval within its jurisdiction in accordance with the adopted Transportation Plan.

North Carolina Department of Transportation

The North Carolina Department of Transportation will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Planning Work Program. The Transportation Planning

Branch will designate a Goldsboro Urban Area Coordinator to serve as Staff liaison and participant in the Goldsboro Urban Area MPO planning process. The Department, as permitted by existing State and Federal regulations, will provide assistance in the protection of necessary rights-of-way for those thoroughfares designated in the transportation plan.

Section 3. Activities of the Goldsboro Urban Area MPO, as set forth in the annually adopted Planning Work Program, are funded through Federal Planning funds distributed through the North Carolina Department of Transportation. These funds require a twenty percent (20%) Local Match. Parties to this Memorandum of Understanding agree to fund the Local Match in an amount in direct proportion to their share of the total population contained in the approved Metropolitan Area Boundary. Population figures for determination of Local Match contribution shall be determined based on the most recent Federal decennial Census. This funding share shall be invoiced on a regular basis by the City of Goldsboro, acting as Lead Planning Agency, and as recipient of the Federal Planning funds distributed by the North Carolina Department of Transportation.

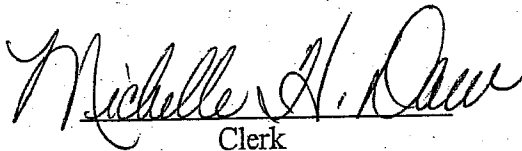
Section 4. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 30 days written notice to the other parties prior to the date of termination.

Section 5. This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the parties regarding the Goldsboro Urban Area MPO.

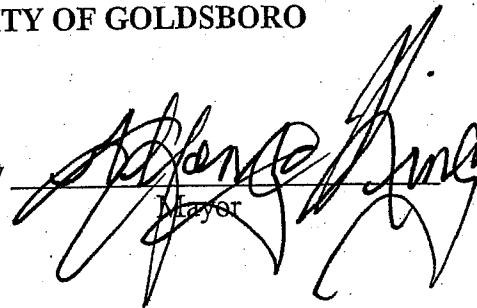
Section 6. In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Goldsboro by its Mayor, the Village of Walnut Creek by its Mayor, Wayne County by its Chairman of the Board of Commissioners and the North Carolina Department of Transportation by the Secretary of Transportation, this 14 day of September 2006.

(Seal)

CITY OF GOLDSBORO


Clerk

By

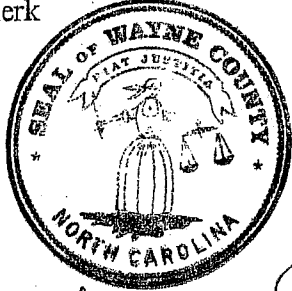

Mayor

(Seal)

VILLAGE OF WALNUT CREEK

Sandra Allen
Clerk

By [Signature]
Mayor



(Seal)

WAYNE COUNTY

Marcia R. Wilson
Clerk

By [Signature]
Chairman of the Board of Commissioners

(Seal)

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

By _____
Secretary