



Blair Metropolitan Planning Organization

By-Laws

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Blair Metropolitan Planning Organization

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Article I. Name of the Metropolitan Planning Organization

The name shall be the Blair Metropolitan Planning Organization (BMPO), and is a part of the structure of the Blair County Planning Commission (Blair Planning).

Article II. Authorization

The authorization for the establishment of the Blair Metropolitan Planning Organization is set forth under the terms and provisions of Section 134 of the Federal Aid Highway Act of 1962 (Title 23 U.S. Code). Powers and duties are delegated to the BMPO by agreement between the Commonwealth of Pennsylvania, County of Blair, and the City of Altoona date March 2, 1965, as enlarged and amended.

Article III. Voting Membership

- Section 1) Membership shall consist of eleven persons to be appointed by the transportation interests of Blair County as described in this Article. This body shall be commonly known as the "Coordinating Committee."
- Section 2) The Commonwealth of Pennsylvania Secretary of Transportation shall appoint two members.
- Section 3) The County of Blair shall appoint two Commissioners
- Section 4) The City of Altoona shall appoint two elected officials.
- Section 5) The Blair County Government Advisory Committee, or its designee, shall appoint two elected township officials who shall represent the interests all the townships in Blair County collectively and shall also appoint one elected borough official who shall represent the interests of all the boroughs in Blair County collectively.
- Section 6) The Blair County Airport Authority shall appoint one member of its board.
- Section 7) The Altoona and Logan Township Transportation & Motor Buses for Public Use Authority (d/b/a AMTRAN) shall appoint one member of its board.
- Section 8) Members shall serve for four years or until they are no longer in the office which made them eligible for appointment, whichever shall first occur.
- Section 9) Members may be reappointed so long as they remain in the office which made the eligible for appointment to the board.

Article IV. Non-Voting Membership

- Section 1) In addition to the voting membership in Article III, the Coordinating Committee shall have the following non-voting members representing transportation-related interests. Non-voting members shall have full membership rights except the right to vote on matters.
- Section 2) The United States Secretary of Transportation, or designee, may appoint one employee of the Federal Aviation Administration.
- Section 3) The United States Secretary of Transportation, or designee, may appoint one employee of the Federal Highway Administration.

- Section 4) The United States Secretary of Transportation, or designee, may appoint one employee of the Federal Transit Administration.
- Section 5) The Commonwealth of Pennsylvania Secretary of Conservation and Natural Resources may appoint one employee to represent that Department's transportation interests.
- Section 6) The Pennsylvania Railroad, or a successor company operating any of its lines within Blair County, may appoint a local employee to represent rail interests.
- Section 7) Non-Voting Members shall serve for four years or until they are no longer in the office which made them eligible for appointment, whichever shall first occur.
- Section 8) Non-Voting Members may be reappointed so long as they remain in the office which made them eligible for appointment to the board.

Article V. Officers of the Blair Metropolitan Planning Organization

- Section 1) The officers of the BMPO shall consist of a Chairperson, and Secretary.
- Section 2) The Chairperson shall preside at all meetings and hearings of the BMPO and shall have the duties normally conferred by parliamentary usage of such officers. By the agreement establishing the BMPO, the Chairperson shall not vote except to break a tie vote.
- Section 3) The Secretary shall act for the Chairperson in the Chairperson's absence. The Secretary shall have charge of the records of the Commission, including minutes, policy documents, and reports. The Secretary shall also have all other duties conferred under the *Standard Code of Parliamentary Procedure*. Specifically, the Secretary shall have oversight of the keeping of the non-financial records of the BMPO with the assistance of the BCPC staff. On behalf of the Secretary, the BCPC staff shall prepare the agenda and minutes of regular and special meetings, provide notice of all meetings to BMPO members, arrange proper and legal notice of hearings, attend to correspondence of the BMPO and such other duties are normally carried out by the Secretary.
- Section 4) In the event neither officer is able to attend a duly called meeting of the BMPO, the longest serving member present shall act in the place of Chairperson.
- Section 5) The officers shall serve two years beginning July 1st of an even-numbered year.

Article VI. Meetings

- Section 1) Meetings will be held on the third Thursday of each quarter at 1:30 pm as advertised annually. In the event of conflict with holidays or other events a majority at any meeting may change the date of said meeting.
- Section 2) A quorum shall consist of six voting members of the Coordinating Committee present. The number of votes necessary to transact business shall be six. Voting shall be by a voice vote except where otherwise permitted or required. Alternates may be designated to vote, but undermine the purpose and integrity of the Committee and do not count toward a quorum.
- Section 3) Special meetings may be called by the Chairperson. It shall be the duty of the Chairperson to call a special meeting when requested to do so by a majority of the members of the Coordinating Committee. The Secretary shall notify all members of the Coordinating Committee in writing not less than five days in advance of such special meetings.

- Section 4) All meetings or portions of meetings at which official action is taken shall be open to the general public. However, the BMPO may meet in executive session for those reasons permitted by law. Relevant staff shall be present. Executive Sessions should be held at the end of the standard (open) meeting session, unless a need exists to do so earlier. The Chairperson shall announce the executive session, the reason for it, and whether additional business will be conducted in open session afterward.
- Section 5) Unless otherwise specified, the *Standard Code of Parliamentary Procedure* (Sturgis) shall govern the proceedings at the meetings of the BMPO.

Article VII. Order of Business

- Section 1) The order of business shall be set on a published agenda in a manner deemed appropriate to efficiently deal with the matters at hand. Hearings and matters involving persons wishing to address the BMPO shall be scheduled early in the meeting.
- Section 2) A motion from the floor must be made and passed in order to dispense with any item on the agenda.
- Section 3) While it is preferable that all voting take place in person, it is recognized that there will be occasions and subject matter that will require a vote to take place by telephone, mail, or email. If such an occasion should arise, a vote can be authorized by the Executive Committee. A report of such action shall be reported at the next regular Coordinating Committee meeting and ratification of said actions obtained.

Article VIII. Employees

The Blair Metropolitan Planning Organization utilizes Blair Planning staff to provide professional planning service and expertise, as well as clerical support per the 1965 Agreement.

Article IX. Committees and Subcommittees

- Section 1) There shall be a standing Executive Committee comprising of the two officers of the Coordinating Committee, the Chairperson of the Technical Committee, the Director of Blair Planning, and the PennDOT 9-0 District Executive. The Executive Committee is responsible to authorize special votes under Section 3 of Article VII and ensures the BMPO is meeting its legal, social, and financial obligations.
- Section 2) There shall be a standing Technical Committee headed by the Secretary. The Technical Committee shall be comprised of the same organizations which comprise the Coordinating Committee, however the Technical Committee membership shall compose of persons with technical expertise in matters of community planning, engineering, design, and transportation. In the case of municipal participation on the Technical Committee, members need not originate from the same municipality as the corresponding member on the Coordinating Committee.
- Section 3) Committee membership shall be appointed by the Executive Committee with the following limitations. Except the Coordinating and Technical Committees, no subcommittee shall have more than four Coordinating Committee members serving on it at any given time. Committee

membership may be extended to those not on the Coordinating Committee when deemed appropriate, except: 1) the Executive Committee shall consist only of those designated in Section One, and 2) the Coordinating and Technical committees may not include outside membership per the 1965 Agreement.

Section 4) Standing committees shall meet at least annually.

Section 5) Ad-hoc committees and joint committees may be created for a special purpose at any time by simple majority vote of the Coordinating Committee. In creating such committees, the Coordinating Committee shall establish the purpose, charge, structure, and life span of the committee at the time of voting.

Article X. Budgets

Section 1) The primary annual operating budget shall be controlled by Blair Planning, per the 1965 establishment agreement.

Section 2) Nothing shall preclude the BMPO from obtaining additional funding for special projects or to supplement the primary budget.

Article XI. Hearings

Section 1) In addition to those required by law, the BMPO may hold public hearings when it decides that such hearing will be in the public interest.

Section 2) Notices of all hearings shall be published in a newspaper of general circulation in the affected area(s) at least one week in advance of the hearing, unless otherwise directed by law.

Section 3) Hearings shall be conducted in the same manner as meetings, except a majority vote of BMPO Board members present shall be required to open and close a hearing. Minutes shall be kept of the proceedings.

The matter before the BMPO shall be presented in summary by the Director and parties in interest shall have the privilege of the floor.

Section 4) No record or statement shall be recorded or sworn to as evidence for any Court of Law without notice to the parties.

Section 5) A record shall be kept of those speaking at such hearings.

Article XII. Amendments

Amendments to these By-laws may be submitted at any regular meeting of the Coordinating Committee. Such amendments must be submitted in writing, and may not conflict with the operation of the overall Blair Planning organization. No formal action shall be taken on such a submittal at the meeting at which it is first proposed, but it may be adopted at the following meeting. A majority of the Coordinating Committee membership must vote in favor of an amendment for it to become effective.

Article XIII. By-law Review

These By-laws shall be reviewed at least every four years.

Article XIV. Suspension

These By-laws may be temporarily suspended for a single issue or consideration upon a two-thirds vote of the Committee membership.

Article XV. – Effective Date

The effective date for these By-Laws shall be noted on a page signed by the Chairperson.

Article XVI. – Repealer

All previous bylaws governing the Blair Metropolitan Planning Organization are hereby repealed in full.

Article XVIII - Limitations

- Section 1) The BMPO shall be non-partisan, non-sectarian, and non-political and shall take no part in or lend its influence to the election or appointment of any candidate for political office. The Blair Metropolitan Planning Organization shall not engage in any act that shall operate to deprive it of its tax-exempt status under the Internal Revenue Code.
- Section 2) The BMPO shall not in any manner or to any extent participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office; nor shall it engage in any “prohibited transaction” as defined in the Internal Revenue Code.
- Section 3) No part of the net earnings of the BMPO shall inure to the benefit of any member of the BMPO or other private individual except that the BMPO shall be authorized and empowered to pay reasonable compensation for services rendered herein. None of the property of the BMPO shall be distributed directly or indirectly to any member of the BMPO except in fulfillment of its purposes enumerated herein.
- Section 4) The BMPO also has such powers as are now or may hereinafter be granted under the laws of Pennsylvania that are in furtherance of the exempt purposes of the BMPO within the meaning of the Internal Revenue Code.
- Section 5) In the event that the BMPO is dissolved, the assets of the BMPO shall be sold and the proceeds divided among the constituent municipalities and County. In determining the amount of disbursement, the total value of the proceeds shall be divided by a number equaling four times the total population of the County as of the last decennial census, yielding a per capita value. Each municipality shall be disbursed an amount equal to the per capita value multiplied by the population of the municipality as of the last decennial census. The remainder shall be equally disbursed among the County, Airport, AMTRAN, and PennDOT. All records shall be transferred to the Pennsylvania Department of Transportation.

Section 6) A constituent municipality that leaves the BMPO structure independent of the dissolution of the BMPO forfeits any rights and shares it may have vested in the BMPO. Such municipality also forfeits all rights to any non-state system benefits and assistance within its borders. Non-payment of the local share to Blair Planning by June 30 of any given fiscal year shall equate to leaving the BMPO.

Adopted on this date, as amended

Thomas Prestash, Chairman

EFFECTIVE DATE: JULY 1, 2020

Attested:

David McFarland, Secretary