

**AMENDED
MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING
AMONG**

**THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
THE CITY OF CONCORD, CITY OF KANNAPOLIS, CITY OF SALISBURY, TOWN
OF HARRISBURG, TOWN OF LANDIS, TOWN OF CHINA GROVE, TOWN OF
CLEVELAND, TOWN OF SPENCER, TOWN OF ROCKWELL, TOWN OF
GRANITE QUARRY, TOWN OF FAITH, TOWN OF MIDLAND, TOWN OF
EAST SPENCER, TOWN OF MOUNT PLEASANT, COUNTY OF ROWAN,
COUNTY OF CABARRUS, AND THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION IN COOPERATION WITH THE UNITED STATES
DEPARTMENT OF TRANSPORTATION**

Article I. Purpose of the Agreement

The purpose of this agreement is to amend the existing Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning, last approved on March 19, 2003, regarding the Cabarrus-Rowan Metropolitan Planning Organization and to provide the organizational structure needed to fulfill the requirements of 23 U.S.C. §134(b), G.S. §136-66.2 and G.S. §136200 through 136-202, inclusive. The provisions of the North Carolina General Statutes are intended to supplement the provisions of Federal Law. If provisions of the General Statutes conflict with the requirements of Federal Law then the provisions of Federal Law shall control.

Article II. Roles and Responsibilities

Metropolitan Planning Organizations are responsible for carrying out a transportation planning process in accordance with U.S.C. §134, any subsequent amendments to that statute, and any implementing regulations as follows:

- Developing and approving a long range transportation plan for the Metropolitan Planning Area,

- Amending the Metropolitan Transportation Plan to reflect changing conditions,
- Making a determination that the long range transportation plan conforms to the intent of the North Carolina State Air Quality Implementation Plan in parts of its Metropolitan Planning Area that are classified as nonattainment or maintenance for transportation related National Ambient Air Quality Standard,
- Developing and approving a transportation improvement program,
- Amending the transportation improvement program to maintain consistency with the North Carolina State Transportation Improvement Program, Reviewing, approving, and endorsing a Prospectus for transportation planning that defines work tasks and responsibilities of the agencies participating in the transportation planning process,
- Developing and maintaining an annual budget (the Unified Planning Work Program) intended to produce a transportation plan and transportation improvement program, • Review, approve, and endorse changes to the Federal Highway Administration Functional Classification System, the Metropolitan Area Boundary, and the Adjusted Urbanized Area Boundary if adopted,
- Approving and distributing any federal funds designated for the Cabarrus-Rowan Metropolitan Planning Organization under current, and future, transportation authorization(s),
- Adopting the bylaws and procedures necessary for the day to day operation of the Metropolitan Planning Organization, and
- Other transportation related activities necessary to meet the obligations stated above.

Metropolitan Planning Organizations in North Carolina are responsible for:

- Developing a comprehensive transportation plan in accordance with 23 U.S.C. § 134 and North Carolina G.S. §136-66.2, which may include projects anticipated to be needed beyond the horizon year, and
- Representing the interests of member governments to the North Carolina Department of Transportation.

Section 2.01

Additional Responsibilities of Member Governments

Additionally, member governments shall coordinate zoning and building construction permits in accordance with the adopted Transportation Plan. The City of Concord Department of Transportation will serve as the Lead Planning Agency for transportation planning in the Planning area. It is further agreed that these agencies will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus for Transportation Planning.

Section 2.02 Metropolitan Planning Area

The Cabarrus-Rowan Metropolitan Planning Area consists of the Concord Urban 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 urbanized within a twentyyear planning period. In addition this area also includes all of Cabarrus and Rowan Counties.

This area is hereinafter referred to as the Planning Area.

Section 2.03 The MPO Board (The Transportation Advisory Committee)

The MPO Board, also known as the Transportation Advisory Committee (or TAC) is the policy board of the MPO. By definition, in 23 U.S.C. (b) (2), the TAC is the Metropolitan Planning Organization.

(a) Membership

The voting Membership of the MPO Board will consist of one representative of each unit of local government that is a signatory to this agreement and one Member of the Board of Transportation. Voting members must be elected or appointed officials. The Federal Highway Division Administrator for North Carolina, or his designee, shall be an ex officio non-voting member of the MPO Board. The MPO Board may add other, advisory non-voting, members at its discretion as defined in the Bylaws. The voting membership of the MPO Board shall include:

- a. One member of the Kannapolis City Council
- b. One member of the Concord City Council
- c. One member of the China Grove Town Council
- d. One member of the Landis Board of Aldermen
- e. One member of the Town of Harrisburg Town Council
- f. One member of the Cabarrus County Commissioners
- g. One member of the Rowan County Commissioners
- h. One member of the Town of Spencer Board of Aldermen
- i. One member of the Town of Cleveland Town Council
- j. One member of the Town of Granite Quarry Board of Aldermen
- k. One member of the Town of Rockwell Board of Aldermen

- l. One member of the City of Salisbury City Council**
- m. One member of the Town of Mount Pleasant Board of Aldermen**
- n. One member of the Town of Midland Town Council**
- o. One member of the Town of Faith Board of Alderman**
- p. One member of the Town of East Spencer Town Council**
- q. One member of the North Carolina Board of Transportation Division 9 and/or 10**

(b) Duties

The MPO Board, in cooperation with the North Carolina Board of Transportation, shall carry out the urban transportation planning process specified in the U.S. Department of Transportation Regulations, or Program Manuals and shall develop the work programs, transportation plans, and transportation improvement programs and other documents specified in such regulations or manuals.

The MPO Board shall be the forum for continuing, cooperative, and comprehensive transportation decision-making by elected officials of general purpose local government. The MPO Board's responsibilities include (1) ensuring that the Transportation Planning Process and the plans and improvement projects that emerge from that process are consistent with the policies and desires of local government, and (2) serving as a forum for resolving conflicts that arise during the development of the Transportation Plan, the Transportation Improvement Program and Transportation Projects.

The MPO Board shall review and approve the Planning Work Program and Transportation Improvement Program and insure they comply with the Transportation Plan.

The MPO Board shall review, approve, and endorse amendments to the Planning Work Program, the Transportation Plan and the Transportation Improvement Program.

The MPO Board shall review, approve and endorse changes to the Federal-Functional Classification System, Urban Area Boundary and Metropolitan Planning Area Boundary.

The MPO Board shall review, approve, and endorse a Prospectus for transportation planning defining the work tasks and responsibilities for the agencies participating in the transportation planning process.

The MPO Board shall review and approve related air quality planning in conformance with federal regulations.

The MPO Board members shall have the responsibility for keeping boards of general-purpose local government informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of these boards; and ensuring meaningful citizen participation in the transportation planning process.

The MPO Board shall provide policy direction to the technical coordinating committee and the executive director of the MPO as they develop products for the MPO.

Section 2.04 The Technical Coordinating Committee

Transportation Planning is a specialized field. In order to give the MPO Board access to the technical expertise necessary to meet the requirements of federal and state law, a Technical Coordinating Committee, hereinafter referred to as the TCC, shall be established with the responsibility of advising the MPO Board on the technical aspects of the transportation planning process.

(a) Membership

Membership of the TCC shall include technical representation from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area.

The TCC shall be comprised of the following voting members:

- a. City of Kannapolis, one representative
- b. City of Concord, one representative
- c. Cabarrus County, one representative
- d. Town of China Grove, one representative
- e. Town of Landis, one representative
- f. Town of Harrisburg, one representative
- g. Rowan County, one representative
- h. Town of Mount Pleasant, one representative
- i. City of Salisbury, one representative

- j. Town of Spencer, one representative
- k. Town of Cleveland, one representative
- l. Town of Rockwell, one representative
- m. Town of Granite Quarry, one representative
- n. Town of Faith, one representative
- o. Town of Midland, one representative
- p. Town of East Spencer, one representative
- q. North Carolina Department of Transportation, Division Engineer - Division 9, one representative
- r. North Carolina Department of Transportation, Division Engineer - Division 10, one representative
- s. North Carolina Department of Transportation, Transportation Planning Branch, one representative

In addition, representatives from each of the following bodies will serve as affiliate attendees:

- Concord Regional Airport
- Rowan County Airport
- Salisbury Transit System Director
- Rowan Individual Transportation Assistance Director
- Cabarrus County Transportation System Director
- Cabarrus-Rowan MPO Executive Director

- Concord-Kannapolis Area Transit Manager
- North Carolina Department of Transportation, Regional Traffic Engineer – Division 10
- North Carolina Department of Transportation, Regional Traffic Engineer – Division 9
- North Carolina Department of Transportation, Public Transportation Representative
- U.S. Department of Transportation, Federal Highway Administration, North Carolina
- U.S. Department of Transportation, Federal Transit Administration, Region IV

Other local agencies, upon filing a request, will be informed of all meetings of the TCC and may attend meetings. The TCC may add members in accordance with its adopted Bylaws.

(b) Duties

The TCC is responsible for general review, guidance, and coordination of the transportation planning process for the planning area and for making recommendations to the respective local and State governmental agencies and the MPO Board regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval of the Prospectus, Transportation Improvement Program, Federal-Aid Urban System and Boundary, revisions to the Transportation Plan, planning citizen participation, and documentation reports on the transportation study.

Section 2.05 Lead Planning Agency

Administrative coordination for the MPO Board and the TCC will be performed by the Lead Planning Agency (LPA), which is under the direction of the City of Concord Transportation Department. The LPA may elect to retain staff to the MPO Board and TCC through hire or private contract at their discretion.

The LPA:

- Is the Secretary to the MPO Board (the TAC),
 - Arranges meetings and agendas, ○
 - Maintains minutes and records,
- Is the Secretary to the TCC,
 - Arranges meetings and agendas, ○
 - Maintains minutes and records,
- Prepares the Prospectus,
- Prepares the Unified Planning Work Program

- Prepares a Transportation Improvement Program in accordance with Federal and State regulations and requirements,
- Develops a Transportation Plan in accordance with Federal and State regulations,
- Maintains the Transportation Plan,
- Executes the Transportation Planning process in accordance with Federal and State laws and regulations,
- Prepares invoices and progress reports in accordance with federal, state, and local requirements,
- Structures the public involvement process needed to ensure that the UPWP, transportation plan, transportation improvement program, and any transportation conformity determinations meet federal requirements,
- Consults with the MPO Board and the TCC regarding the best approaches to performing the duties listed above.

Article III. Payment Schedule

All transportation and related Federal Aid planning grant funds available to promote the cooperative transportation planning process will be expended in accordance with the Unified Planning Work Program adopted by the MPO Board. Administration of funding in support of the Transportation Planning Process on behalf of the MPO Board will be conducted by the City of Concord who will execute appropriate agreements with funding agencies as provided by the Planning Work Program.

The local match for the Federal Aid planning funds will be determined based on the current federal matching requirements. The signatory general purpose local governments will contribute to the local match requirement based on their percentage of the population within the planning area at the most recent decennial census. Member governments will also be asked to contribute additional local funding for planning projects wholly within their municipal or county limits.

Article IV. Duration of the Agreement

This agreement remains in effect until the Cabarrus-Rowan MPO is re-designated under 23 U.S.C. 134(d) (5), or the agreement is voided by mutual consent. The document may be amended or voided by a two thirds vote of the MPO Board. Agencies subscribing to this

Memorandum of Understanding may terminate their participation in the Continuing Transportation Planning Process by giving sixty days written notice to other parties prior to the date of termination.

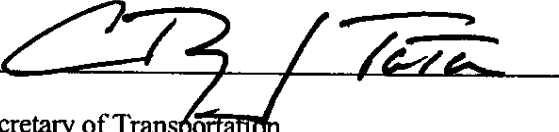
Article V. Signatures

In witness whereof, the Secretary of Transportation on behalf of the Governor of the State of North Carolina and the other parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Concord by its Mayor, the City of Kannapolis by its Mayor, the City of Salisbury by its Mayor, the Town of China Grove by its Mayor, the Town of Landis by its Mayor, the Town of Harrisburg by its Mayor, the Town of Faith by its Mayor, the Town of Rockwell by its Mayor, the Town of Granite Quarry by its Mayor, the Town of Cleveland by its Mayor, the Town of Mount Pleasant by its Mayor, the Town of East Spencer by its Mayor, the Town of Spencer by its Mayor, the Town of Midland by its Mayor, Cabarrus County by its Chairman of the Board of Commissioners, Rowan County by its Chairman of the Board of Commissioners, and the Department of Transportation by the Secretary of Transportation. This 25th day of April, 2014.

CABARRUS ROWAN MPO MOU INFORMATION 2013

MEMBER	2010 POP.	PERCENT	DATE OF SIGNATURE
Concord	79,066	25.0	5/9/2013
Rowan County	76,698	24.2	5/6/2013
Cabarrus County	49,500	15.6	5/20/2013
Kannapolis	42,625	13.5	5/13/2013
Salisbury	33,527	10.6	3/19/2013
Harrisburg	11,526	3.6	5/13/2013
China Grove	4,162	1.3	5/7/2013
Spencer	3,267	1.0	4/9/2013
Landis	3,096	1.0	5/6/2013
Midland	3,073	1.0	5/14/2013
Granite Quarry	2,930	0.9	6/3/2013
Rockwell	2,108	0.7	5/13/2013
East Spencer	1,534	0.5	5/6/2013
Mount Pleasant	1,652	0.5	5/6/2013
Cleveland	868	0.3	4/1/2013
Faith	807	0.3	5/14/2013
TOTALS	316,439	100	

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

By: 
Secretary of Transportation

Date: 25 APR 2014

(Seal)

CITY OF CONCORD

Kim J. Deas

Clerk

By

J. Scott Padgett

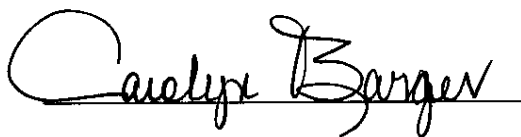
Mayor

Resolution Date 5/09/13



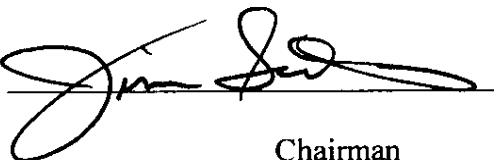
(Seal)

ROWAN COUNTY



Clerk

By



Chairman

Resolution Date May 6, 2013

(Seal)

CABARRUS COUNTY

Megan Smith By Elizabeth F. Cole
Clerk Chairman

Resolution Date 5/20/2013

Ann Wilson
6/14/13

(Seal)



CITY OF KANNAPOLIS

Bridgette Bell
Clerk

By *Robert S. Rosenhauer*
Mayor

Resolution Date 05-13-2013

Resolution Date _____

(Seal)

CITY OF SALISBURY

Myra B. Havel By Paul B. Woodcock
Clerk Mayor

^{Approval}
~~Resolution~~ Date 3-19-13

(Seal)

TOWN OF ROCKWELL

_____ By _____

(Seal)



TOWN OF HARRISBURG

Janet Beckley
Clerk

By *Timothy B. Taylor*
Mayor

Resolution Date 5.13.2013

(Seal)

TOWN OF MOUNT PLEASANT

_____ By _____
Clerk Mayor

Resolution Date _____

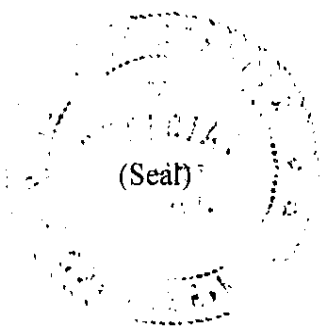
(Seal)

TOWN OF CHINA GROVE



Amanda Keller By Don Bryle
Clerk Mayor

Resolution Date 5-7-13



TOWN OF SPENCER

Lisa B. Perdue

Clerk

By

Jody Luckhart

Mayor

Resolution Date 4/9/13



(Seal)

_____ By _____

Clerk

Mayor

(Seal)



TOWN OF LANDIS

Douglas L. Lee By *James C. Lee*
Clerk Mayor

Resolution Date 05/06/13

(Seal)

TOWN OF CLEVELAND

_____ By _____


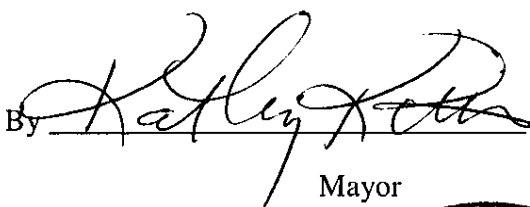
Clerk

Mayor

Resolution Date _____

(Seal)

TOWN OF MIDLAND

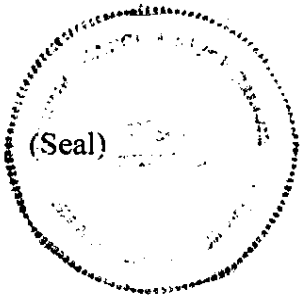
 _____ By 

Clerk

Mayor

Resolution Date 5/14/2013





TOWN OF GRANITE QUARRY

Lydia Larico

Clerk

By

Mary Sands

Mayor

Resolution Date 6/3/2013



(Seal)

TOWN OF ROCKWELL

Ane C. Morton, CMC By Beauford Taylor
Clerk Mayor

Resolution Date 5-13-13

(Seal)

TOWN OF SPENCER

_____ By, / _____
Clerk Mayor

Resolution Date _____

(Seal)

TOWN OF EAST SPENCER

Anneuse G. Hoop By *Barbara G. Pellet*
Clerk Mayor

Resolution Date *May 14, 2013*

Resolution Date _____

(Seal)

TOWN OF HARRISBURG

_____ By _____

Clerk

Mayor

Resolution Date 5/6/13

(Seal)



TOWN OF MOUNT PLEASANT

Cathy Witt By Del Eddy
Clerk Mayor

TOWN OF CLEVELAND

(Seal)

Cathy Payne, CMC By John E. Steel, Jr
Clerk Mayor

Resolution Date 4-1-13

TOWN OF MIDLAND

(Seal)

_____ By _____
Clerk Mayor

Resolution Date _____

(Seal)

TOWN OF FAITH

Harvey C. Zink By W. Todd Perler
Clerk Mayor

Resolution Date May 14, 2013
By Unanimous Vote

(Seal)

TOWN OF GRANITE QUARRY

_____ By _____
Clerk Mayor

Resolution Date _____