

# **DISTRICT 6 PUBLIC WORKS INTEGRATING COMMITTEE**

## **BYLAWS**

### **ARTICLE I - THE COMMITTEE**

#### **Section A - Name**

This Committee shall be known as the DISTRICT 6 PUBLIC WORKS INTEGRATING COMMITTEE (D6PWIC).

#### **Section B - Purpose**

The D6PWIC is formed for the purpose of meeting the requirements and carrying out the responsibilities assigned to it under the Ohio Revised Code, Section 164, as it currently exists or may from time to time be amended by the legislature of the State of Ohio.

#### **Section C - District Boundaries**

The boundaries of District 6 shall be coterminous with the boundaries of Trumbull and Mahoning Counties, except that the incorporated portion of the Cities of Columbiana, Salem, Alliance and the Village of Washingtonville within Mahoning County shall be excluded from District 6.

### **ARTICLE II - MEMBERSHIP**

#### **Section A - Terms of Office**

There shall be nine members of the D6PWIC appointed for a term of three years each from the time of initial appointment (164.04(b)); except that the members of the D6PWIC appointed alternately by a majority of the chief executive officers of municipal corporations of a county and a majority of boards of township trustees of a county shall serve a five-year term. Members may be reappointed, but in no case longer than 60 days after the expiration of their term of office.

#### **Section B – Vacancies**

Any vacancy occurring because of the departure of a Member of the D6PWIC, the Alternate shall become the Member and the position of Alternate shall be filled in the same manner as originally appointed, except that the appointment shall be for the balance of the unexpired term.

## **Section C - Appointments**

All Members shall be appointed in accordance with the requirements of Section 164.04 (A) (4) of the Ohio Revised Code as it pertains to representation from the private sector and various political jurisdictions with District 6. Specifically:

- 1) One appointment by the Mahoning County Commissioners;
- 2) One appointment by the Trumbull County Commissioners;
- 3) One appointment by the Mayor of the City of Youngstown;
- 4) One appointment by the Mayor of the City of Warren;
- 5) One appointment by a majority of the chief executives of the municipal corporations, other than the largest municipal corporations;
- 6) One appointment by the majority of the boards of township trustees within the district;
- 7) The Mahoning County Engineer;
- 8) The Trumbull County Engineer;
- 9) One appointment by an affirmative vote of at least six of the members in subsection one through eight above. This appointment shall be selected from the private sector and be a person having experience in local infrastructure planning and economic development.

Note: Sections 5 and 6 shall alternate between the two Counties. When Mahoning County mayors appoint the Section 5 member, Trumbull trustees will appoint the Section 6 Member and vice versa.

## **Section D - Alternates**

During all meetings of the D6PWIC, and during all subcommittee meetings, only Members or their designated alternates may vote on any issue. Alternates shall be appointed by the same appointing authority as the Member as designated by Section 164.04 (A) (4) of the Ohio Revised Code.

## **ARTICLE III - OFFICERS, ELECTION, AND DUTIES**

### **Section A - Officers**

The D6PWIC shall at its annual meeting elect a Chairperson and Vice Chairperson from among its members who will serve for a period of one year, or until their successor is elected, and may be re-elected for subsequent terms.

The Vice Chairperson shall not reside in the same county as the Chairperson. The D6PWIC may designate an individual, who does not have to be a member of the D6PWIC, to serve as Clerk of the Committee.

### **Section B - Duties of Officers**

- 1) The Chair shall preside at all meetings of the D6PWIC and shall be empowered to authenticate, by his/her signature, when necessary, all the acts and proceedings of the Committee.
- 2) The Vice Chair shall perform all the duties of the Chair in his/her absence.
- 3) The Clerk shall keep the minutes of the D6PWIC and shall maintain a record of the proceedings of the Committee.

## **ARTICLE IV - MEETINGS**

### **Section A - Annual Meeting**

The D6PWIC shall meet in May each year for the purpose of electing officers, appointing standing subcommittees, and conducting such other business as may come before it.

### **Section B - Other Meetings**

The D6PWIC will meet at other times as set by the Committee for the purpose of conducting the general business of the Committee, including any business that may come before it. The Chair, or in his/her absence the Vice-Chair, may call a meeting of the Committee.

### **Section C - Special Meetings**

The D6PWIC may meet in special session upon call of any two members of the Committee for the specific purpose designated in writing and presented with the call of the special meeting. Such call and purpose must be signed by the two calling members. No business other than that stated in the written purpose of the Special Meeting shall be conducted at that meeting.

## **Section D - Emergency Meetings**

The D6PWIC may meet in emergency session upon call of the Administrative Representative (Article VIII - Section A) to the Committee upon approval of the Chairperson, or in his/her absence, the Vice Chairperson.

## **ARTICLE VI - SMALL GOVERNMENTS SUBCOMMITTEE**

### **Section A - Purpose**

The purpose of the Small Governments Subcommittee is to review and select projects to be submitted to the Ohio Small Governments Capital Improvements Commission for funding. This standing Subcommittee shall be appointed from among its members by the D6PWIC, at its Annual Meeting, to represent the interests of Villages and Townships and to make recommendations to the Ohio Small Governments Capital Improvements Commission.

The Subcommittee for Villages and Townships shall report its actions to the full Committee for purposes of coordination. The number of members of the Subcommittee will be determined by the full Committee. The D6PWIC Chair may appoint the Subcommittee Chair. The quorum of the Subcommittee shall be a majority of its members and an affirmative action of the Subcommittee shall be a majority of the quorum present. The Subcommittee shall comply with the Bylaws and Rules of Order of the Committee, except that quorum and voting shall be as defined in this article.

### **Section B - Membership**

The membership of the Small Governments Subcommittee shall be the county engineers of Mahoning and Trumbull counties; the current member of the D6PWIC that represents a majority of the chief executives of the municipal corporations, other than the largest municipal corporations; the current member of the D6PWIC that represents the majority of the boards of township trustees within the District and the Private Sector Member of the D6PWIC. Ad-hoc members of the Small Governments Subcommittee will be appointed by the Chairman.

### **Section C - Officers**

The officers of the D6PWIC shall include a Chairperson and Vice Chairperson selected to serve one-year terms beginning with the Annual meeting. The Chairperson shall preside at meetings of the Committee and shall sign any and all written documents on behalf of the Small Governments Committee. The Vice Chairperson shall perform all duties of the Chairperson in his or her absence and shall perform duties as may be delegated by the Chairperson.

## **Section D - Meetings**

Meetings shall be called by the Chairperson as deemed necessary. Members and Alternates will be informed of meetings at least seven days prior to the date of the meeting.

## **Section E - Quorum**

A quorum shall be a simple majority of those appointed to the Small Governments Subcommittee.

## **Section F - Voting**

Resolutions and other official actions shall require the approval of the majority of the members present and constituting a quorum.

# **ARTICLE VII - OTHER COMMITTEES**

## **Section A - Other Committees**

The D6PWIC may from time to time appoint other subcommittees, including among the appointments its members or others with specific knowledge, to formulate advice and/or recommendations to the full Committee. Such subcommittees shall comply with these Bylaws and the Rules of Order of the Committee.

# **ARTICLE VIII - ADMINISTRATION**

## **Section A - Administration and Technical Assistance**

The Director of the Eastgate Regional Council of Governments (Eastgate) or his/her appointee shall serve as the Administrative Representative (Liaison) to the D6PWIC. Eastgate is organized as a voluntary organization of local government subdivisions in Ashtabula, Mahoning, and Trumbull counties under 167 of the Ohio Revised Code.

The Eastgate Administrative Representative (Liaison) shall administer the technical aspects of the State Capital Improvement Program (SCIP) and the Local Transportation Improvement Program (LTIP) in District 6 and assist the D6PWIC in the compilation and selection of projects to be funded under the SCIP/LTIP Program. Eastgate will also provide services to the Committee as required including preparation of meeting minutes; meeting notifications; project analysis, including computer listing of all proposed projects; and other applicable services as requested by the Committee.

## **Section B - Administrative Expenses**

Necessary costs incurred by Eastgate in the administrative process of SCIP/LTIP and Small Government Programs of District 6 shall be covered by a 1½ percent administrative fee to be provided by the political entities which receive funding under the provisions of the OPWC. Upon completion of the project, Eastgate will invoice each political subdivision for an amount equal to 1½ percent of the OPWC funds used on their project(s). The funds provided by the applicants to Eastgate for SCIP/LTIP and Small Government program administration shall be provided from sources other than OPWC funds. Projects funded through the OPWC Emergency Program will be assessed a fee of \$500 or ½ percent of the total funds, whichever is less.

## **ARTICLE IX - APPLICATION PROCEDURES**

### **Section A - Submission Requirements**

Upon recommendation of the D6PWIC as to project funding, a representative of Eastgate will meet with the applicants which have been recommended by the Committee to apply to the OPWC. Eastgate will assist the applicant in preparing the OPWC Application for Project Support and other documents required for submittal to the state.

### **Section B - Project Review Procedures**

Projects will be reviewed in accordance with procedures established by the D6PWIC, which will be responsible for final project funding recommendations.

## **ARTICLE X - AMENDMENTS**

### **Section A - Bylaws and Rules of Order**

To amend the Bylaws or Rules of Order, an amendment must be presented in writing to the D6PWIC at a Regular Meeting and may be debated at that meeting. Adoption may occur only at a subsequent Regular Meeting of the Committee at which time the motion for adoption may be amended as with any motion or resolution pending before the Committee.

### **Section B - Standing Rules**

The D6PWIC may adopt, amend, add to, or suspend previously adopted Standing Rules at any meeting of the Committee by the affirmative vote of seven members or the appropriate number as provided in Article V - Quorum.

## **ARTICLE XI - RULES OF ORDER**

All meetings of the D6PWIC, including all subcommittees, shall be conducted in accordance with parliamentary procedures. Except as modified by these Bylaws, the Committee will be governed by "Roberts Rules of Order, Revised".

## **ARTICLE XII - ADOPTION**

The Bylaws and Rules of Order are one document and shall be adopted by an affirmative vote of at least seven members at a Regular Meeting of the D6PWIC. Motion for adoption subjects the document to opportunity for amendments prior to final action.

## **ARTICLE XIII - SEVERABILITY**

Each article, section, or subsection of the Bylaws and Rules of Order shall be considered separable from all others. Should any article, section, or subsection be determined to be contrary to law or found to be invalid by a court, the balance of this document shall remain in effect. Similarly, should any section of the O.R.C., Section 164.01 et sequel upon which this document is based, in part, be held invalid by a court or changed by the legislature so as to make an article, section, or subsection invalid, the balance of this document shall remain in effect.

Amended September 5, 2019