

# **BY-LAWS FOR THE ONE PERCENT SALES TAX CITIZENS' OVERSIGHT COMMITTEE**

## Article I. Name

The name of this organization is the "2005 One Percent Sales Tax Citizens' Oversight Committee" (the "Oversight Committee").

## Article II. Purpose

To represent the interests of the residents of Cobb County by assuring that the Cobb County Transportation Improvement Program (the "TIP") portion of the overall 2005 SPLOST Program is implemented in an expedient, organized and accountable manner, including working with the Board of Commissioners to establish criteria that will enable the Cobb County Department of Transportation ("DOT") to evaluate and prioritize sidewalk projects.

## Article III. Oversight Committee

**Section 3.1 Appointment.** A citizens group of 15 members from the community shall be appointed, who shall serve without pay.

Each member of the Cobb County Board of Commissioners shall be entitled to appoint three members to the Oversight Committee.

**Section 3.2 Term of Office.** Each member appointed to the Oversight Committee shall serve a term that runs concurrently with the term of the appointing Commissioner and at that Commissioner's pleasure. If an appointing Commissioner is no longer in office due to a general election or special called election, any member appointed by that Commissioner shall be subject to removal without cause by the newly elected Commissioner.

**Section 3.3 Public Office.** No person who holds elective public office shall be eligible to serve as a member of the Oversight Committee during the term of such elective office, and the position of any member shall be deemed vacant upon such member qualifying as a candidate for elective public office.

**Section 3.4 Removal.** A member may be removed from the Oversight Committee by the appointing Commissioner at a Board of Commissioners' regularly called meeting.

**Section 3.5 Vacancies.** Vacancies occurring for any reason shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

## Article IV. Meetings

Section 4.1 Regular Meetings. Regular (at least quarterly) meetings of the Oversight Committee shall be held at a designated place/or as the Oversight Committee may determine.

Section 4.2 Special Called Meetings. Special meetings of the Oversight Committee may be called at any time at the call of the Chairman of the Oversight Committee, at the call by a majority of the members of the Oversight Committee, or upon direction by the Chairman of the Board of Commissioners. Each member of the Oversight Committee shall be notified in writing or by phone (no less than 48 hours) prior to the date set for a special called meeting. Notice shall stipulate the date, time, and place of the meeting and the purpose for which the meeting has been called. During special called meetings, the Oversight Committee may transact only that business of the organization for which the meeting was called and for which notice was given.

## Article V. Quorum

Any 8 members of the Oversight Committee shall constitute a quorum.

## Article VI. Officers

Section 6.1 Officers. There shall be a Chairperson, Vice-Chairperson, and Secretary of the Oversight Committee.

Section 6.2 Selection. Officers shall be selected annually by the Oversight Committee from its members, by majority vote.

Section 6.3 Term. Each Officer shall serve a one year term. Any and all officers selected may serve for consecutive years.

Section 6.4 Duties.

1. Chairperson shall preside at meetings of the Oversight Committee, and shall appoint committees and perform all other duties generally pertaining to the office of Chairperson.
2. Vice-Chair shall perform the duties of Chairperson in the absence of the Chairperson.
3. Secretary shall keep a record of minutes of the meetings of the Oversight Committee, record all official actions of the Oversight Committee, give notices of meetings to the members, keep a roll of attendance, and perform other duties as assigned by the Oversight

Committee. All of the Oversight Committee's books and records shall be kept at the office of the Director of DOT.

## Article VII. Committees

### Section 7.1 Executive Committee.

The Executive Committee of the Oversight Committee shall consist of the Officers of the Oversight Committee and the Director of DOT. The Executive Committee looks to the Oversight Committee for guidance and advice in policy making and planning. The Executive Committee reports directly to the Oversight Committee.

### Section 7.2 Standing or Subcommittees. Standing Committees and Subcommittees shall be authorized, created, and terminated by the Oversight Committee Chairperson upon consultation with the Executive Committee. These committees shall be created and terminated according to the needs of the TIP portion of the 2005 SPLOST Program. The duties of the standing committee shall be defined at such time as the standing committee is formed. The Chairperson of the Oversight Committee shall appoint Executive Officers to the Standing Committees and designate one of these Executive Officers as Chairperson of all of the Standing Committees. This person shall be responsible for making reports of all the Standing Committees to the Oversight Committee. The Chairperson of the Oversight Committee shall appoint members to the Standing and Subcommittees after conferring with the Executive Officers of the Standing Committees.

Standing Committees may include but are not limited to the following:

- a) Finance/Auditing
- b) Policies
- c) Planning
- d) Construction/Design
- e) ROW Acquisition

### Section 7.3 Ad Hoc Committees. Ad Hoc Committees may be authorized for specific tasks when need has been determined by the Oversight Committee. At the time an Ad Hoc Committee is established, the Oversight Committee shall specify the purposes and responsibilities of the Ad Hoc Committee and the number of individuals who will serve as members. The Chairperson of the Oversight Committee shall appoint the chairperson and members of any Ad Hoc Committee after conferring with the Executive Committee. An Ad Hoc Committee shall be terminated automatically when its assigned task(s) is completed or at the direction of the Oversight Committee.

## Article VIII. General

- Section 8 Parliamentary Authority. Any rules of parliamentary procedure not covered by these By-laws shall be governed by the latest edition of the Robert's Rules of Order.
- Section 8.2 Amendments. These By-laws may be altered, amended or repealed by the Board of Commissioners.
- Section 8.3 Adoption and Effective Date. These By-laws, and any amendments thereto, upon approval by the Board of Commissioners, shall be effective immediately.