

**NORTH CAROLINA
GEOGRAPHIC INFORMATION COORDINATING COUNCIL**

**BYLAWS
August 8, 2012**

Article I. Name

The name of this organization shall be the North Carolina Geographic Information Coordinating Council hereinafter referred to as the Council. The Council was established by North Carolina General Statutes §143-725 through 143-727 in August 2001. The Council was transferred by SL-451 (section 6.8(c)) from the Office of the Governor to the Office of the State Chief Information Officer by a Type II transfer, as defined in N.C.G.S. §143A-6, effective July 1, 2009. The Council is located within the Office of the State CIO for organizational, budgetary, and administrative purposes.

Article II. Purpose

The purpose of the Council is to further cooperation among State, federal and local government agencies; academic institutions; and the private sector to improve the quality, access, cost-effectiveness, and utility of North Carolina's geographic information and to promote geographic information as a strategic resource in the State. The Council shall be responsible for the following:

- a. Strategic planning,
- b. Resolution of policy and technology issues,
- c. Coordination, direction and oversight, and
- d. Advising the Governor, the General Assembly, and the State CIO as to needed directions, responsibilities, and funding regarding geographic information.

Article III. Objectives

The objectives of the Council are as follows:

Sec. 1. To coordinate the efficient collection, documentation, management, use, and dissemination of geographic information statewide through voluntary exchange and sharing of data and technology.

Sec. 2. To identify, make known, and recommend actions to meet geographic information needs statewide.

Sec. 3. To foster communication and cooperation in matters related to geographic information among federal, state and local government agencies, universities, and private entities in North Carolina.

Sec. 4. To promote fiscal strategies that result in cost-savings and added value of geographic information through innovative and cooperative intergovernmental agreements.

- Sec. 5. To formulate and recommend standards for data content, architecture, quality, accuracy, resolution, and maintenance.
- Sec. 6. To promote sharing of geographic information by recommending standard methods and means, devising model agreements, developing and maintaining a corporate database, and performing other appropriate information sharing actions.
- Sec. 7. Improve the quality, access, cost-effectiveness, and utility of North Carolina's geographic information and resources, and promote geographic information as a strategic resource for the state.

Article IV. Reporting

The Council shall report at least annually to the Governor and to the Joint Legislative Commission on Governmental Operations.

Article V. Council Membership

Sec. 1. Appointment of Council Members.

The members shall be appointed pursuant to N. C. Gen. Stat. §143-726. The Council shall consist of up to 35 members, or their designees, as set forth in this section

Governor's Appointments. – The Governor shall appoint the following members:

- (1) The head of an at-large State agency not represented in the list of ex officio members below.
- (2) An employee of a county government, nominated by the North Carolina Association of County Commissioners.
- (3) An employee of a municipal government, nominated by the North Carolina League of Municipalities.
- (4) An employee of the federal government who is stationed in North Carolina.
- (5) A representative from the Lead Regional Organizations.
- (6) A member of the general public.
- (7) Other individuals whom the Governor deems appropriate to enhance the efforts of geographic information coordination.

General Assembly Appointments. – The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint three members to the Council.

Other Members. – Other Council members shall include:

- (1) The Secretary of State.
- (2) The Commissioner of Agriculture.
- (3) The Superintendent of Public Instruction.
- (4) The Secretary of Environment and Natural Resources.
- (5) The Secretary of the Department of Transportation.
- (6) The Secretary of the Department of Administration.
- (7) The Secretary of the Department of Commerce.
- (8) The Secretary of the Department of Crime Control and Public Safety.
- (9) The Secretary of the Department of Health and Human Services.
- (10) The Secretary of the Department of Revenue.
- (11) The President of the North Carolina Community Colleges System.

- (12) The President of The University of North Carolina System.
- (13) The Chair of the Public Utilities Commission.
- (14) The State Budget Officer.
- (15) The Executive Director of the North Carolina League of Municipalities.
- (16) The Executive Director of the North Carolina Association of County Commissioners.
- (17) One representative from the State Government GIS User Committee.
- (18) One representative elected annually from the Local Government Committee.
- (19) The State Chief Information Officer, who shall serve as a nonvoting member.

Sec. 2. General Powers.

The business and affairs of the Council shall be managed by its membership.

Sec. 3. Voting Membership.

Voting membership shall include all members, or their designees, present at a meeting. It is the responsibility of each member to be active in the Council and to attend scheduled meetings on a regular basis.

Sec. 4. Non-Voting Membership.

The Chair may appoint additional non-voting advisory members to terms coincident with that of the Chair. Although non-voting members may not make or second motions at Council meetings, they may participate in all other aspects of the Council.

Sec. 5. Terms and Vacancies.

All members appointed by the Governor shall serve three-year terms. Members serving by *ex officio* shall serve terms coinciding with their respective offices. All members appointed by the Speaker of the House and President Pro Tempore of the Senate shall serve three-year terms. Members serving by virtue of their appointment by a standing committee of the Council shall serve for the duration of their appointment by the standing committee. The appointing authority may reappoint a Council member for successive terms. At the conclusion of an appointee's term, or in the event a vacancy occurs before the end of an appointee's term, a recommendation shall be made to the appointing authority so that a reappointment or a replacement can be made.

Sec. 6. Designees.

All Council members, except Advisory members, may use a designee to represent them at some or all Council meetings. Council members wishing to use a designee will follow the current designation process, as developed and managed by the Secretary to the Council.

Sec. 7. Attendance – Appointed Members.

It is the responsibility of each member to be active on the Council and to attend scheduled meetings on a regular basis. All appointed Council members are expected to attend 75 percent of their regularly scheduled meetings during the

calendar year. Issues such as the reason for an absence, attendance at committee meetings, etc., will be reviewed and considered in determining whether an appointee has complied with this attendance standard. The Council Chair may submit a request to the Governor, President Pro Tempore, or Speaker of the House of Representatives for a new appointment to complete the term of an appointed member who fails to meet this attendance standard.

Sec. 8. Attendance – Designees.

Designees shall adhere to the same attendance standard as in Sec 7 above. In the event that a designee fails to meet this attendance standard, the Council Chair may submit a request to the designee’s statutory Council member for a replacement.

Sec. 9. Attendance – Recordkeeping.

The Secretary of the Council will track the attendance of all appointed members and designees. Every January, beginning in 2011, the Secretary of the Council shall provide an annual attendance report to the Office of Boards and Commissions in the Office of the Governor.

Sec. 10. New Member Orientation.

The Secretary of the Council will develop and conduct orientation sessions for all new Council members within 60 days of the effective date of the new member’s appointment.

Sec. 11. Conflicts of Interest.

In transacting Council business, each member shall act always in the best interest of the public without regard for her or his financial interests. To this end, each member must recuse herself or himself from voting on any matter on which the member has a financial interest. In addition, members shall abstain from voting on any actions that would be a conflict of interest or would appear to be a conflict of interest as described within relevant Executive Orders from the Governor. No member of the Council may vote on an action affecting solely that member’s State agency or organization. The Chair of the Council or the individual member involved should consult with legal counsel or the NC State Ethics Commission to help determine if a conflict of interest exists. No member of the Council shall accept a gift from any contractors, subcontractors, or suppliers of the Council. This does not prohibit a Council member from accepting a gift that would be permitted under the State Ethics Act, regardless of whether the member is covered by the Act.

Article VI. Officers

Sec. 1. The Governor shall appoint the Chair from the membership to serve for a one-year period or until a successor is appointed.

Sec. 2. A Vice Chair shall be appointed by the Chair from the membership and shall serve for a one-year period.

Sec. 3. The Secretary to the Council shall be the Director of the Center for Geographic Information and Analysis per N.C.G.S. §143-726(f).

Article VII. Duties of Officers

Sec. 1. Chair. The Chair shall be the principal officer of the Council and shall in general coordinate all of the business and affairs of the Council. The Chair shall preside at all meetings of the Council and shall be responsible for the implementation of the Council's decisions. The Chair, in consultation with the Secretary, shall set the agenda for regularly scheduled meetings. The Council Chair, when in attendance, is the presiding officer at all meetings of the Council. In the absence of the Council Chair and the Vice Chair, the Council Chair may appoint a Standing Committee Chair to preside. The Chair shall routinely request follow-up reports on the implementation of the decisions of the Council. The Chair shall periodically review the attendance of members. The Chair may request routine status reports from standing committee or work group chairs. The Chair may sign records, vouchers, and documents connected with the business of the Council, and/or, at his or her discretion, may delegate appropriate signature authority on behalf of the Council to the Secretary.

Sec. 2. Vice Chair. The Vice Chair shall assist the Chair in the discharge of the Chair's duties as requested and in the absence or inability of the Chair to act, shall perform the Chair's duties.

Sec. 3. Secretary. The Secretary to the Council shall ensure that minutes are taken of all Council and standing committee meetings. The Secretary shall have charge of all books, papers, records, committee reports and other documents and records of the Council. The Secretary shall review for compliance with approved Council actions or authorized actions of the Chair, any contracts, memoranda of understanding, agreements, and other documents of the Council.

Sec. 4. The Chair and Vice Chair, or persons specifically appointed by the Chair, are authorized to represent the Council with other organizations.

Article VIII. Standing Committees and Work Groups

Sec. 1. The Council shall oversee the standing committees created below. Except as otherwise provided, the Chair of the Council shall appoint the standing committee chairs from representatives listed in Article V, Section 1 of these bylaws. Each standing committee shall adopt bylaws, subject to the Council's approval, to govern its proceedings. The following Standing Committees are authorized by N. C. G. S. §143-726. They shall be directed by the Chair with the concurrence of a majority of voting members. These Standing Committees are:

- a. State Government GIS User Committee (SGUC).
This committee shall consist of representatives from all interested State government departments and shall advise the Council on issues, problems and opportunities relating to geographic information, GIS and related

technologies. The Chair of the Council shall appoint the committee chair from one of the State agencies represented on the Council.

- b. Local Government Committee (LGC).
This committee shall be comprised of representatives from organizations and professional associations that serve or represent local government geographic information users, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, and Lead Regional Organizations. Its purpose is to advise the Council on issues, problems and opportunities relating to geographic information, GIS and related technologies. The committee members will elect one of its members to serve as chair and to represent the committee on the Council.
- c. Federal Interagency Committee (FIC).
The purpose of the FIC is to aid in the coordination of data activities within North Carolina, especially between Federal agencies and other geographic data users and distributors represented on the Council. Members shall consist of all interested Federal agencies and Tribal governments with an office located in North Carolina. The appointed Federal representative serving pursuant to N. C. G. S. §143-726 shall serve as the chair of the FIC.
- d. Statewide Mapping Advisory Committee (SMAC).
The purpose of the SMAC is to consolidate statewide geographic information requirements and attempt to gain statewide support for financing cooperative programs. The committee shall advise the Council on issues, problems and opportunities relating to federal, State and local government geospatial data programs. The Chair of the Council shall appoint the committee chair.
- e. GIS Technical Advisory Committee (GIS TAC).
The purpose of the GIS TAC is to advise the Council on technical issues, including the statewide technical architecture for GIS. The chair of the Council shall appoint the committee chair.
- f. Management and Operations Committee.
This committee shall consider management and operational matters related to geographic information, GIS and related technologies and other matters that are formally requested by the Council. The committee membership shall consist of the Chair of the Council, the State Budget Officer, the chair of each of the standing committees of the Council and other members of the Council appointed by the Chair. The Chair of the Council shall serve as the committee chair.

Sec. 2. The Council shall oversee the NC OneMap Governance Committee, established by the Council to provide advice and support to the Council on governing and

overseeing NC OneMap-related matters. NC OneMap is a public service providing comprehensive discovery and access to North Carolina's geospatial data resources. It is an organized effort of numerous partners throughout North Carolina, involving local, state, and federal government agencies, the private sector, and academia. NC OneMap is the State Clearinghouse for geospatial information. The committee membership shall consist of the Chair of the Council, the State Budget Officer, and the chair of each of the standing committees of the Council. The Chair may appoint additional members. The Chair of the Council shall serve as the committee chair.

Sec. 3. Standing Committee Chairs shall be responsible for the duties, schedules, and tasks assigned to their committees. Committee chairs may request modifications to the original assignment in order to meet objectives. The committee chair shall be the principal officer and is responsible for the business of the committee. Committee chairs shall be responsible for routinely providing committee status and activity reports to the Council. Committee chairs shall be responsible for preparing, presenting, and supporting the recommendations of their committees. Standing committee members are encouraged to call on their staffs, experts, and outside resources to support the business of the committees, to assist in accomplishing their purposes, and to participate as members of subcommittees. Committee Chairs may create subcommittees when the work of the committee would be more effectively done through a more focused body than the committee as a whole. Committee Chairs may appoint the chairs of their subcommittees and are responsible for the affairs of those subcommittees.

Sec. 4. The Council, as needed, may establish work groups (bodies that are charged with concentrating their efforts on a significant GIS issue or project) and recommend that such work groups be incorporated into the SMAC, GIS TAC, and/or other standing committees as appropriate. The Council Chair appoints work group chairs.

Sec. 5. The Council may create short-term *ad hoc* committees as necessary to research and assist with policy issues. The Council Chair appoints *ad hoc* committee chairs.

Article IX. Staff and Office

Sec. 1. The Director of the Center for Geographic Information and Analysis (CGIA), shall be secretary of the Council and CGIA shall provide staff support for the Council and its committees, as directed by N. C. G. S. §143-725. On behalf of and at the direction of the Council, CGIA shall manage and distribute digital geographic information about North Carolina maintained by numerous State and local government agencies. It shall operate a statewide data clearinghouse and provide Internet access to State geographic information. It shall also coordinate the GIS initiatives from all State agencies to ensure that they are not duplicating an existing function by monitoring and approving all new GIS-related IT projects and expansion budget requests. As directed by N. C. G. S. § 147-33.82(a) as

amended by House Bill 950 (Session Law 2012-142), the Office of Information Technology Services (ITS) shall provide geographic information systems services through CGIA on a cost recovery basis. ITS and CGIA may contract for funding from federal or other sources to conduct or provide geographic information systems services for public purposes.

Sec. 2. Principal Office. The principal Office of the organization shall be located in the offices of the Center for Geographic Information and Analysis, 333 Six Forks Road, Raleigh, North Carolina. CGIA was transferred by SL-451 (section 6.8(c)) from the Department of Environment and Natural Resource to the Office of the State Chief Information Officer by a Type II transfer, as defined in N.C.G.S. §143A-6, effective July 1, 2009.

Article X. Meetings

Sec. 1. Council meetings shall be held at least quarterly at a time and location selected by the Chair. A core agenda and notice of meetings shall be provided to members of the Council at least 15 days prior to the meeting. Any and all notices required by these Bylaws may be delivered electronically. Additional substantive issues may be added to the agenda if the Chair approves.

Sec. 2. Additional meetings of Council membership may be called by the Chair with at least a 72-hour notice by mail, electronic mail, fax, or telephone to discuss and take action on critical issues.

Sec. 3. Standing Committees and work groups advising the Council shall meet, discuss, study, and/or resolve assigned issues as needed to carry out the business of the Council.

Sec. 4. The Management and Operations Committee shall conduct the Council's business between quarterly meetings. When Management and Operations Committee decisions would impact GICC policies, they shall be ratified by the full Council at its next meeting.

Sec. 5. All meetings of the Council will be open to the public. The Council and its standing committees and work groups shall conduct all official meetings in accordance with N.C.G.S. § 143-318.9, *et seq.*

Sec. 6. Attendance at any meeting of the Council or its standing committees or work groups may be in person or by other means using any two-way interactive communications.

Sec. 7. The Council may use all appropriate communication technologies to conduct its business including, but not limited to, audio conferencing, video conferencing, electronic mail, fax, or internet-based applications.

Sec. 8. The minutes of all Council meetings shall be distributed to Council members as soon as practicable after the respective meetings. The minutes of all Council and standing committee meetings shall be posted to the Council website as soon as practicable after the respective meetings.

Article XI. Quorum, Voting, and Amendment of Bylaws

Sec. 1. A Quorum is established when more than one-half of the voting members of the Council, exclusive of vacancies, are present in a meeting of the Council. In the absence of a quorum, the Council shall not take any official action. The Chair may conduct the meeting for information purposes only or may adjourn the meeting.

Sec. 2. Unless otherwise required, a majority of affirmative votes by members in attendance on any issue will establish a Council decision. Only voting members of the Council or approved designees for members may vote. Only voting members may propose or second motions. Each voting member shall have one vote, including the Chair. However, the Chair shall retain the right to abstain from voting. When there is a tie without the Chair's vote, the Chair can vote in the affirmative and such a vote adopts the motion; but if the Chair abstains from voting, the motion is lost. When there is one more in the affirmative than in the negative without the Chair's vote, the motion is adopted if the Chair abstains; but if the Chair votes in the negative, the result is thereby tied and the motion is lost.

Sec. 3. Voting shall generally be conducted orally. The Chair shall call for a vote and the members shall respond by stating either "aye" or "no". If the response is not clear, then the Chair or any member may call for a show of hands. In cases where there seems to be no opposition in routine business or on questions of little importance, time can often be saved by use of unanimous (or general) consent. This option may be exercised at the discretion of the Chair. However, it may not be used for major or critical issues.

Sec. 4. Power to propose, repeal or amend these bylaws is hereby delegated to the Chair of the Council. Approval of changes in the bylaws may be obtained by a 2/3-majority vote at any meeting of the Council provided that members receive notice of the meeting at least 15 days in advance.

Sec. 5. The Council shall not have the power to pass any amendment to these bylaws that would alter its status or other requirements governing its actions as set by appropriate statutes or session laws. For accuracy and clarification purposes, stylistic and technical corrections may be made as necessary with the approval of the Management and Operations Committee and reported to the full Council. These corrections shall not require full Council approval.

Article XII. Parliamentary Procedure

Meetings may be conducted in an informal manner by the Chair, but Robert's Rules of Order (Revised) may be invoked at any time by a majority vote of the members present.

Article XIII. Obligations and Expenses

Sec. 1. It is the intent of these bylaws to set a basis for cooperation between member agencies.

Sec. 2. All obligations and expenses for participation in the Council by state agencies shall be borne by each member's agency or organization. Members representing local governments and the private sector shall, upon their request, have their travel and subsistence reimbursed by the Council.

Sec. 3. CGIA staff activities supporting the Council, statewide standards, and the coordination of data acquisition, as well as the management and distribution of digital geographic information about North Carolina, the operation of a statewide GIS data clearinghouse, the provision of Internet access to State geographic information and the coordination of State agency GIS initiatives, are funded through state appropriations.

Article XIV. GIS Use of the Information Technology Fund

The Information Technology Fund shall be used for the purpose of acquiring and managing, at the lowest cost, data layers useful to multiple State and local organizations, according to the priorities set by the Council. The Information Technology Fund may receive private grants and may include State, federal, local, and matching funds. Any funding received for GIS may be used only for that purpose.

Adopted by the Council:

Dempsey Benton
Chair

August 21, 2002
Date

Revised by the Council

Lee Mandell
Chair

August 11, 2010
Date

Revised by the Council

Lee Mandell
Chair

November 9, 2011
Date

Revised by the Council

Lee Mandell
Chair

August 8, 2012
Date

