



243 High Street Room 110  
Morgantown, WV 26505  
(304) 291-9571  
[www.plantgether.org](http://www.plantgether.org)

### Agenda

Policy Board Meeting  
Council Chambers  
Morgantown City Hall  
389 Spruce Street  
Morgantown WV  
October 17, 2019  
6 PM

1. Call To Order
2. Public Comment
3. Approval of Minutes
4. Committee Reports
  - a. Citizens Advisory Committee
  - b. Finance Report
  - c. Executive Director
    - i. Update on Mountain Line Transit Study
    - ii. Update on Statewide Issues/WVAMPO
    - iii. Meeting in Charleston
    - iv. Pedestrian Safety Initiative Projects
    - v. Upcoming travel
5. MPO Title VI Plan
6. Ongoing Project Update-Brian Carr
7. Presentation: Pedestrian and Bicycle Study Draft Recommendations-Phil Goff
8. Other Business
9. Meeting Adjournment



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### Memorandum

**Date:** October 10, 2019

**To:** Policy Board Members

**From:** Bill Austin, AICP

**Subject:** October 17, 2019 Policy Board Meeting Agenda Items

This memorandum is to inform you of the action items for the October 17<sup>th</sup> Policy Board Meeting to be held in the Morgantown City Hall 389 Spruce Street at 6 PM.

**-Title VI Plan-**As a recipient of Federal funds the MPO is required to conform to the requirements of Federal legislation including the Civil Rights Act as amended, and Executive Order 12898 as well as other legislation that requires that the MPO will not discriminate against persons because of their race, religion, sex, disability or other characteristics. This legislation also requires the MPO to facilitate public participation for groups that may have been historically under represented. In order to achieve these results the MPO is required to have a plan and policy in place to ensure its compliance with Federal requirements. The MPO documents its understanding of the area's population and their requirements by analyzing readily available data from the American Community Survey as part of its Title VI Plan.

The MMMPO's Title VI Policy was initially adopted in 2016. The MPO is required to update this Policy including the required demographic analysis every four years. Please find enclosed a draft of the MPO's updated Title VI Plan for your review. The TTAC unanimously recommended adoption of the updated Title VI Plan by the Policy Board. The CAC did not have a quorum, most likely due to the University High Homecoming Parade, but it was the consensus of the members present to recommend the adoption of the Updated Title VI Plan.

**MORGANTOWN MONONGALIA**  
**METROPOLITAN PLANNING ORGANIZATION POLICY BOARD**  
**AUGUST 15, 2019 MINUTES**

**Members Present:**

Chairperson Jennifer Selin, Vice Chairman Joe Statler, Treasurer Mayor Patricia Lewis-Granville, Commissioner Tom Bloom-Monongalia County, Dave Bruffy-Mountain Line, Brian Carr-WV DOH, Councilperson David Harshbarger-City of Morgantown, Councilperson Janice Goodwin-City of Westover, Ron Justice-West Virginia University, Bill Kawecki-Mayor of Morgantown, Mike Kelly-Board of Education, Commissioner Sean Sikora-Monongalia County

**MPO Director:** Bill Austin

**Members Absent:**

Commissioner Edward Hawkins-Monongalia County, Dominick Claudio-Star City

**1. Call to Order**

With a quorum present, Chairperson Jennifer Selin called the Policy Board meeting to order at 6:00 PM.

**2. Public Comment Period**

Robert Morgano, a resident of 450 Cypress Street, noted that he is against the project at the intersection of University Ave and Collins Ferry Rd. He noted that the project will install a roundabout at the intersection and convert Baldwin St into a one-way street. He noted that the proposed changes will have negative impact to both drivers and pedestrians. It will also landlock the residents living on Baldwin St.

Kimberly Keener, a resident of 324 Baldwin St, expressed her opposition to the proposed changes of intersection improvement project at University Ave and Collins Ferry Rd. She noted that the public outreach of this project was not sufficient. Most of the residents living in the intersection area are against this project as proposed. Mr. Keener requested the DOH to reconsider the design of this project.

Chris Doyle, a resident of 325 Baldwin St, expressed his opposition to the project at the intersection of University Ave and Collins Ferry Rd. He noted that the proposed roundabout won't be adequate to handle the traffic in the neighborhood.

Glenn Mullenax, a resident of 1053 Tacoma St, noted that he is against the proposed changes at the intersection of University Ave and Collins Ferry Rd. He read a statement prepared by the residents living in the neighborhood, opposing the project.

Marie Pettit, a resident of 380 Elmhurst Street, expressed her opposition to the proposed changes at the intersection of University Ave and Collins Ferry Rd. She noted that the change will increase traffic in the neighborhood, making the street less safe for the children attending the Suncrest Middle School.

Bath McLaughlin, a resident of 3136 Krepps Street, noted that converting Baldwin Street to one way will impose more traffic on Krepps Street, especially during school pick up and drop off hours. It will make it less safe for the students walking to the school. It will also make the street less safe for children playing in the front yard of their house.

Deborah Herget, a resident of 1322 Kingwood Pike, expressed his opposition to the proposed two roundabouts on Greenbag Rd. She noted that the roundabouts are unnecessary and the DOH should focus more on fixing existing roads, rather than building new facilities. Mrs. Herget then noted that constructions on Greenbag Rd will cause considerable inconvenience to the residents living in the Kingwood Pike area. She noted that adding one-left turn lane at the intersection of Greenbag Rd and Kingwood Pick will largely solve traffic problems in that location.

Ted Hastings, a resident of 87 Kingwood Pike, expressed his opposition to the proposed roundabout at the intersection of Greenbag Rd and Kingwood Pike. He noted that the engineering firm for this project did not take into account local community interests, and the proposed changes will cost much more than what is necessary to fix the problem at that intersection.

Jenifer Hastings, a resident of 87 Kingwood Pike, expressed his opposition to the proposed roundabout at the intersection of Greenbag Rd and Kingwood Pike. She noted that the DOH should adopt an alternative which is more cost-effective and brings less negative impact to the neighborhood.

Commissioner Bloom requested that the Board suspend the meeting procedure so he could bring up a topic which is not on the meeting's agenda. Chairperson Selin suspended the rule.

Commissioner Bloom asked Mr. Austin about the status of the project at the University Ave and Collins Ferry Rd intersection. Mr. Austin noted that the project initially proposed a one-way street on Baldwin St, but he was recently informed by DOH staff that the proposal had been changed, and Baldwin Street will continue to function as a two-way street. The right-of-way acquisition map from the DOH might incorrectly showed the one-way street proposal to the neighborhood. Mr. Austin noted that he will further confirm with the DOH on this issue.

Chairperson Selin noted that it is important for the local community to get precise information about projects affecting their neighborhoods.

### **3. Approval of Minutes**

Chairperson Selin noted that the minutes of the last meeting were included in the agenda packet. Mr. Justice moved to approve the minutes as presented, seconded by Commissioner Bloom. With no discussion, the motion was unanimously approved.

### **4. Committee Reports**

#### *a. Citizens Advisory Committee*

Mr. Rice, the Chairman of the Citizens Advisory Committee, noted that the MPO has two advisory committees. The Citizens Advisory Committee provides a venue for the community to provide input on transportation projects and programs in this area. Mr. Rice noted that the CAC recommended approval on the TIP amendments, the proposed shared employment positions, and the consultant selection for the transit study.

#### *b. Finance Report*

Mayor Lewis presented the Finance Report for June and July as the following:

-- Beginning balance in June \$26,629.29 with expenditures of \$24,880.21 and one deposit of \$15,000.00, leaving a balance of \$16,749.08 at the beginning of July.

-- Beginning balance in July \$16,749.08 with expenditures of \$67,436.64 and three deposits of \$73,191.42 leaving a balance of \$22,503.86 at the beginning of August.

Commissioner Bloom moved to accept the Finance Report as presented; seconded by Mayor Kawecki. With no discussion, the motion unanimously passed.

*c. Executive Directors Report*

Mr. Austin noted that MPO staff and board members have met the WV Secretary of Transportation and DOH staff in Charleston a few weeks ago. The meeting successfully resolved the issues concerning the Van Voorhis Rd project and the Beechurst Ave project. The two projects are moving forward with corrected scopes of work. Mr. Austin noted that the WV Association of MPOs has met DOH administrators and engineers to discuss performance measures, funding allocations, and prioritization of projects. Mr. Austin also noted that he attended a FHWA meeting on performance measures in Washington D.C. It is expected that the MPO will allocate more staff time on tasks relating to performance measurement.

**4. Presentation on Pedestrian/Bicycle Plan Status-Phil Goff Alta Planning**

Phil Goff, the project manager of the Pedestrian/Bicycle Plan, did a presentation about the pedestrian and bicycle plan. Mr. Goff briefed the Policy Board on the status of the study process and described the proposed recommendations to improve pedestrian and bicycle facilities in the areas.

Mayor Kawecki asked about the deliverables of the study. Mr. Goff noted that the study will provide a set of recommendations on facilities and policies to improve pedestrian and bicycle transportation in this area. It will also provide a capital improvement plan, information on funding resources, and design guidelines. Mr. Goff noted that the study team will hold a public meeting in October to introduce preliminary recommendations to the community. Mr. Austin noted that the study areas also include Granville, Star City, and un-incorporated areas in Monongalia County.

**5. Transportation Improvement Program Amendments**

Mr. Austin noted that the West Virginia University Parking and Transportation has requested a TIP Amendment. The amendment is to allocate unspent funds to perform needed maintenance on the system, including closed circuit TV and an HVAC upgrade. Mr. Austin then noted that the WV DOH has requested TIP Amendments for the following projects: the CR 45 River Road Slide Repair Project, the Dunkard Ave Sidewalks Project, and the Caperton Trail Lighting.

Commissioner Bloom noted that there are two slides on River Road. He asked which one of them will be addressed by the project in the amendment. Mr. Austin noted that the project will fix the slide on the northern segment of the River Road.

Mr. Bruffy moved to approve the TIP amendments as presented, seconded by Mr. Justice. With no further discussion, the motion was unanimously approved.

**6. MPO/Monongalia County Shared Employee**

Mr. Austin noted that the MPO is working with the County to hire a shared employee to improve the MPO's public outreach and to assist the County and the MPO with working with walk-in customers. The initial recommendation is that the shared position will be managed by the MPO, but the County has also expressed an interest in hosting the position. If MPO host the position, the employer will cost marginally less than being managed by the County due to lower health insurance cost. It will also make position easier to expend to a full-time employer when needed. Mr. Austin noted that the position will help to strengthen the connection between land use planning and transportation planning in the area.

He noted that the MPO staff is comfortable with the position being based with the County or the MPO. Mr. Kelly noted that he believed the Policy Board would be comfortable with either option negotiated with the County Commission by Mr. Austin.

**7. Mountain Line Transit Study Consultant Selection**

Mr. Austin noted that the MPO is acting as the contractual agent for the Mountain Line Short to Medium Range Transit Study, which is funded in part by MPO Federal Transportation Planning funds, Federal funds provided by WV DOH, and Mountain Line. The MPO received 7 responses to the Request of Qualification for the study. All

proposals were submitted by qualified consultants. A selection committee was established, which consisted of 2 representatives of WVU, a representative of the City of Morgantown, a representative of WV DOH, two representatives of the Mountain Line and an MPO staff member. The Committee interviewed three firms and selected HDR as the recommended consultant for the study.

Mr. Austin asked that the Policy Board authorize the Chairman to enter into the contract with HDR if the contract scope of work is approved by the Mountain Line Board.

Mr. Justice moved to approve the consultant selection and authorize the MPO's Chairperson and Executive Director to sign off the contract if it is satisfactory to the Mountain Line Board; seconded by Mr. Bruffy. With no discussion, the motion was unanimously approved.

### **8. Discussion of Greenbag Road Project**

Commissioner Bloom asked if any policy board member could request an agenda item for the meeting. Mr. Austin noted that the MMMPO has always operated in that way.

Commissioner Bloom noted that the DOH has made changes to the Greenbag Rd project and he is concerned that the MPO planning process was undermined because of a recent meeting between some MPO board members and DOH staff in Charleston. He also expressed his discontent on how the information about Greenbag Rd was communicated to the community. Commissioner Bloom distributed a copy of emails between him and the MPO's Executive Director about this issue.

Commissioner Sikora noted that the County has been working with the DOH on the Greenbag Rd project, and he is surprised by the changes to this project. He pointed out the importance of the integrity of planning process and a unified voice of this region when communicating with the DOH.

Chairperson Selin noted that the meeting in Charleston solved the issues of the Beechurst Ave project and the Van Voorhis Rd project. The MPO board members received the information on the status of Greenbag Rd project from DOH staff after the meeting.

Mayor Kawecky noted that the meeting was successful in solving many community concerns and it did not undermine the MPO's planning process. The information about the changes to Greenbag Rd project was provided to him, and it is appropriate to pass that information to the community.

Mr. Carr noted that DOH staff briefed the MPO's representatives about the Greenbag Rd project after the meeting. He noted that misinformation is a reoccurring issue statewide. The DOH is working to improve the process on how project information is distributed from Charleston to local communities.

Mr. Austin noted that the West Virginia Association of MPOs is working with the DOH to improve the project programming and prioritization process. He noted that an open and transparent process will be beneficial for the DOH and local communities and help to avoid these issues.

### **9. Other Business**

No other business.

### **11. Meeting Adjournment**

Meeting adjourned at 8:20 PM.

Morgantown - Mon County Trans. Planning Org.  
 Checking Account  
 As of September 30, 2019

==[

2:24 PM  
 10/07/2019  
 Accrual Basis

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>Centra-Checking (voucher checks)</b>								<b>57,136.58</b>
Check	09/12/2019	9152	Alta Planning and Design	Bicycle and Pedestrian Study	√	Consulting	-9,533.22	47,603.36
Check	09/12/2019	9153	Calvin Sun	Attorney-Non reimbursable immigration	√	Professional Fees	-2,805.00	44,798.36
Check	09/13/2019	5731	J. William B. Austin	Electronic Transfer	√	Salary	-2,238.07	42,560.29
Check	09/13/2019	5732	Jing Zhang	Electronic Transfer	√	Salary	-1,560.78	40,999.51
Check	09/13/2019	5733	ICMA. Retirement Corp		√	Salary	-1,666.76	39,332.75
Check	09/13/2019	941	IRS	Electronic Transfer	√	Salary	-1,270.24	38,062.51
Check	09/26/2019	9154	Centra Bank - Mastercard	Hotel Room 565.02, Software 22.25, Website 204.00		Travel (Travel)	-791.27	37,271.24
Check	09/26/2019	9155	J. William B. Austin	Mileage to WVAMPO Meeting S. Charleston		Travel (Travel)	-190.24	37,081.00
Check	09/26/2019	9156	Jing Zhang	Mileage to Training in Pittsburgh		Travel (Travel)	-120.22	36,960.78
Check	09/26/2019	9157	Public Employees Insurance Agency	RHBT and Health Insurance		Salary	-2,198.70	34,762.08
Check	09/26/2019	9158	Service Plus			Accounting (Accounting Fees)	-122.10	34,639.98
Check	09/26/2019	9159	Fringe Benefits Management Company			Salary	-335.32	34,304.66
Check	09/30/2019	5735	Jing Zhang	Electronic Transfer	√	Salary	-1,560.79	32,743.87
Check	09/30/2019	5736	J. William B. Austin	Electronic Transfer	√	Salary	-2,208.07	30,535.80
Check	09/30/2019	5737	ICMA. Retirement Corp			Salary	-1,666.76	28,869.04
Check	09/30/2019	941	IRS	Electronic Transfer		Salary	-1,270.22	27,598.82
Check	09/30/2019	09301	WV Dept of Tax and Revenue	Electronic Transfer		Salary	-500.00	27,098.82
Total Centra-Checking (voucher checks)								27,098.82
<b>TOTAL</b>								

Morgantown - Mon County Trans. Planning Org.  
 Checking Account  
 As of August 31, 2019

2:33 PM  
 10/07/2019  
 Accrual Basis

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>Centra-Checking (voucher checks)</b>								<b>22,503.77</b>
Deposi	08/02/2019		WVDOH	Deposit June 2019	√	PL Funds (Funds)	21,415.71	43,919.48
Check	08/13/2019	9141	Dominion Post	TIP Advertisement	√	Public Notices	-96.49	43,822.99
Check	08/13/2019	9142	Dominion Post	TIP Advertisement	√	Public Notices	-86.35	43,736.64
Check	08/13/2019	9143	J. William B. Austin	Mileage FHWA Meeting Wash. DC	√	Travel (Travel)	-245.92	43,490.72
Check	08/13/2019	9140	Service Plus		√	Accounting (Accounting Fees)	-229.00	43,261.72
Check	08/15/2019	5724	J. William B. Austin	Electronic Dep.	√	Salary	-2,208.07	41,053.65
Check	08/15/2019	5725	Jing Zhang	Electronic Dep.	√	Salary	-1,560.79	39,492.86
Check	08/15/2019	941	IRS	Electronic Dep.	√	Salary	-1,270.22	38,222.64
Check	08/15/2019	5727	ICMA. Retirement Corp		√	Salary	-1,666.76	36,555.88
Check	08/15/2019	9145	Public Employees Insurance Agency		√	Salary	-1,862.70	34,693.18
Check	08/15/2019	9146	Retiree Health Benefit Trust Fund		√	Salary	-336.00	34,357.18
Check	08/15/2019	9147	United Bank	Final Interest Payment	√	Line of Credit Payment (Line of Credit Authorized	-12.50	34,344.68
Deposi	08/29/2019		WVDOH	Deposit	√	PL Funds (Funds)	47,566.13	81,910.81
Check	08/30/2019	9148	Alta Planning and Design	Bicycle/Pedestrian Study	√	Consulting (Consulting Expense)	-15,366.15	66,544.66
Check	08/30/2019	9149	Centra Bank - Mastercard	Software \$758.95 (Adobe) Card fee \$30	√	Computer Software	-788.95	65,755.71
Check	08/30/2019	9150	J. William B. Austin	Mileage to Charleston for FHWA	√	Travel (Travel)	-183.28	65,572.43
Check	08/30/2019	9151	WV Board of Risk & Insurance Management		√	Administrative Overhead	-1,290.00	64,282.43
Check	08/30/2019	5728	J. William B. Austin	Electronic Transfer	√	Salary	-2,148.06	62,134.37
Check	08/30/2019	5729	Jing Zhang	Electronic Transfer	√	Salary	-1,560.79	60,573.58
Check	08/30/2019	5730	ICMA. Retirement Corp		√	Salary	-1,666.76	58,906.82
Check	08/30/2019	941	IRS	Electronic Transfer	√	Salary	-1,270.24	57,636.58
Check	08/30/2019	0829	WV Dept of Tax and Revenue	Electronic Transfer	√	Salary	-500.00	57,136.58
Total Centra-Checking (voucher checks)								57,136.58
<b>TOTAL</b>								



**Morgantown Monongalia  
Metropolitan Planning Organization**

**Title VI Plan**

Adopted:

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## Policy Statement

The Morgantown Monongalia Metropolitan Planning Organization assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (L.P.100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. MMMPO further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22. 1988.) In the event the Recipient distributes federal aid funds to a subrecipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

MMMPO’s Executive Director is responsible for initiating and monitoring Title VI activities preparing reports and other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 29 Code of Federal Regulation 21.

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J William B Austin, Executive Director

Date

## Introduction

Title VI of the Civil Rights Act of 1964 states that, “No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Subsequent laws, regulations, directives, and executive orders enlarged the criteria for which discrimination is prohibited to include disability, sex, age, income, and limited proficiency in English. These related authorizations are identified in Appendix A. Two Presidential Orders are particularly important to these requirements. Executive Order 12898 requires that federal agencies address equity and fairness, known as Environmental Justice, toward low income and minority persons and populations. Executive Order 13166 requires federal agencies to ensure that people who have Limited English Proficiency (LEP) have meaningful access to federally conducted and/or funded programs and activities.

The Morgantown Monongalia Metropolitan Planning Organization (MMMPO) is a sub-recipient of federal aid. As a sub-recipient of federal aid the MMMPO is mandated to comply with Title VI and subsequent nondiscrimination laws and regulations. In addition to complying with the requirements noted above Executive Orders 12898 (Environmental Justice) and 13166 (LEP) require the MMMPO to provide an overview of how it addresses the provisions of these Orders. This plan was developed to document the MMMPO’s ongoing efforts to ensure compliance with Title VI related rules and regulations as well as related statutes regarding non-discrimination and environmental justice.

## MMMPO Profile and Organizational Structure

In accordance with the requirements of Federal statute (23 USC 134), the MMMPO has been designated by the State of West Virginia and the US Department of Transportation as the lead agency for transportation planning in Monongalia County particularly for the urbanized area surrounding Morgantown.

The MMMPO was organized in 2003 due to population growth identified in the 2000 Census. The purpose of the MPO is to fulfill the requirements of federal regulations for urbanized areas with a population exceeding 50,000 that specify that there should be a regional forum for a continuous, cooperative, and coordinated, transportation planning process. The plans prepared by the MMMPO and the planning process utilized by the MMMPO should address the following:

- (A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;*
- (B) increase the safety of the transportation system for motorized and nonmotorized users;*
- (C) increase the security of the transportation system for motorized and nonmotorized users;*
- (D) increase the accessibility and mobility of people and for freight;*
- (E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;*
- (F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;*
- (G) promote efficient system management and operation; and*
- (H) emphasize the preservation of the existing transportation system.*

(23 US 134)

## Structure

The MMMPO is governed by a Policy Board which includes representatives of all of the incorporated communities in Monongalia County as well as West Virginia University, the Monongalia County Board of Education, the West Virginia Department of Transportation and Mountain Line Transit. Following is a list of the communities and agencies that sit on the MPO Policy Board. (Unless otherwise noted each agency has one vote on the Policy Board)

Blacksville, Granville, Monongalia County (3 members), Monongalia County Board of Education, Morgantown (3 members), Mountain Line Transit, Star City, Westover, West Virginia Department of Transportation, West Virginia University.

The MMMPO's committee structure includes three committees that report to the Policy Board. The Technical Advisory Committee is made up of professional staff that reviews the MPO's operations and technical products. The Citizens Advisory Committee is made up of volunteers appointed to represent the constituents of the MMMPO's member agencies. The Policy Advisory Committee is made up of representatives of the business community and significant community groups. The PAC is to meet at least annually to advise the Policy Board on policy issues that may arise. The MPO's Bylaws specifies a minimum membership but the PAC may have representation from additional organizations as well.

### 2016 Morgantown Monongalia MPO Committee Membership Metropolitan Planning Organization Policy Board

#### **Officers**

Chairman- Jennifer Selin, City of Morgantown  
Vice-Chairman- Joe Statler, Blacksville  
Treasurer-Mayor Patricia Lewis, Granville  
Secretary, Bill Austin, MPO Director ex officio

#### **Members**

Tom Bloom, Monongalia County Commissioner  
Dave Bruffy, Mountain Line Transit  
Brian Carr, West Virginia Division of Highway  
Stephen Gazillo, Star City  
Janice Goodwin, Town of Westover Councilperson  
David Harshbarger, City of Morgantown Councilperson  
Edward Hawkins, Monongalia County Commissioner  
Ron Justice, West Virginia University  
Bill Kawecki, Mayor City of Morgantown  
Mike Kelly, Board of Education  
Sean Sikora, Monongalia County Commissioner

#### **MPO Citizen's Advisory Committee**

Bill Rice (Chair), Maria Smith, Christiaan Abildso, Chip Wamsley, Ed Sneckenberger, Joe Patten, Matthew Cross, Charles Renner, Heather Britton

#### **MPO Transportation Technical Advisory Committee**

Bill Austin, Morgantown Monongalia MPO (Chairman)  
Dave Bruffy, Mountain Line Transit  
Chandra Inglis Smith, Federal Highway Administration  
Brian Carr, WV Division of Highway  
Damien Davis, City of Morgantown  
Chris Fletcher, City of Morgantown  
James Meadows, Monongalia County Board of Education  
Fouad Shoukry, WV Division of Highway  
Ron Snyder, Town of Granville  
Clement Solomon, West Virginia University  
Andrew Gast-Bray, Monongalia County

**Policy Advisory Committee (Agencies to be Invited)**

Mountain Line Transit Authority  
West Virginia Department of Transportation  
West Virginia University  
Monongalia County Development Authority  
The Director of the Morgantown Area Economic Partnership  
The Executive Director of the Morgantown Area Chamber of Commerce  
The Federal Highway Administration  
The Federal Aviation Administration  
The Federal Transit Administration  
The West Virginia Governor's Office  
Resident Associations  
Local Commercial Associations  
Emergency Service Organizations  
Morgantown Utilities Board  
Ruby Memorial Hospital  
Monongalia General Hospital  
Monongalia County Board of Education  
Morgantown Municipal Airport

## **Title VI Coordinator and Responsibilities**

The MMMPO Executive Director is responsible for Title VI Coordination, ensuring the implementation and management of the MMMPO Title VI Plan.

### **Title VI Coordinator Contact Information:**

J. William B. Austin, AICP  
Executive Director  
Morgantown Monongalia MPO  
82 Hart Field Road Suite 105  
Morgantown, WV 26505  
(304)291-9571  
baustin@labyrinth.net

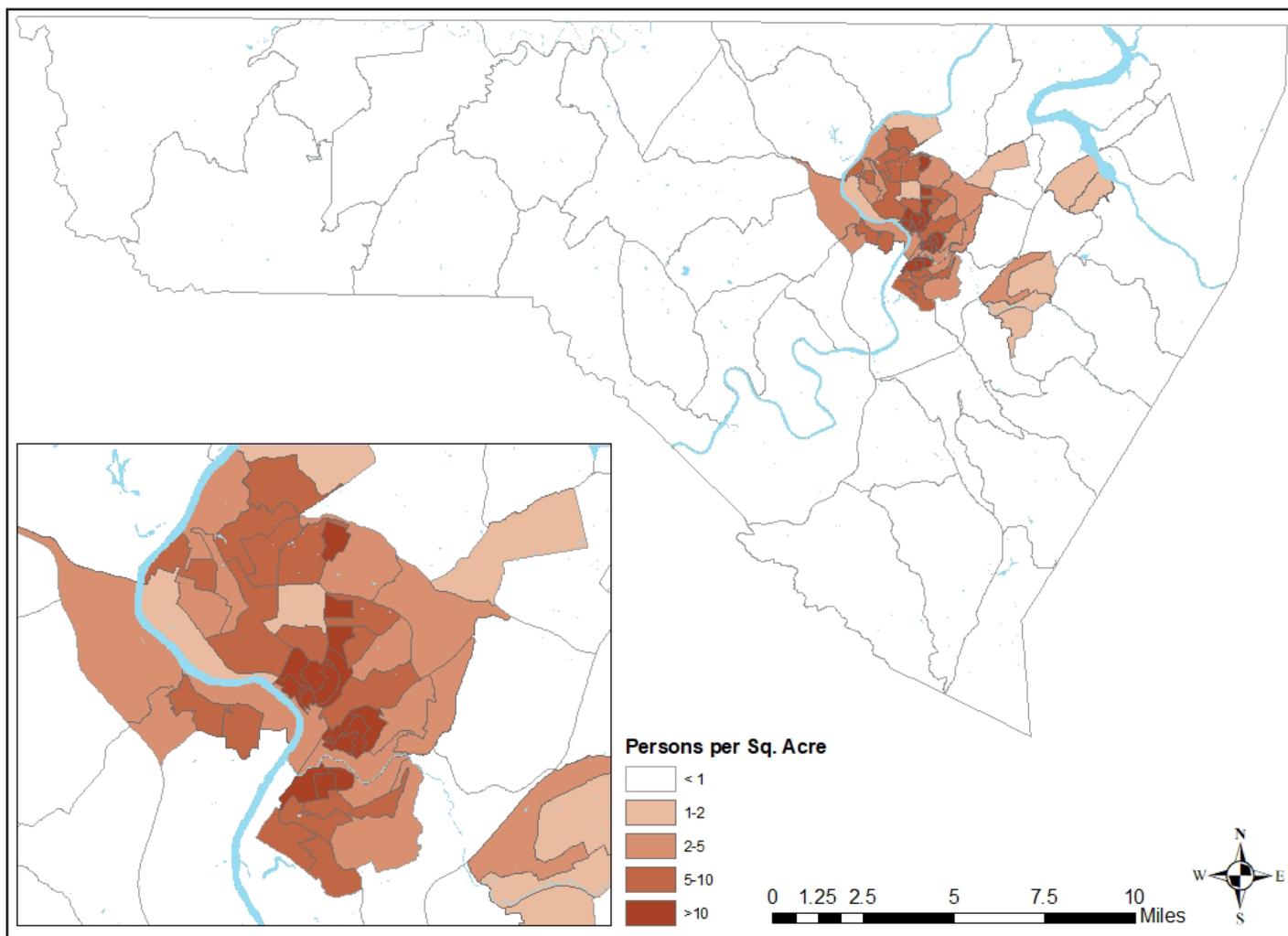
Title VI Coordinator Responsibilities include:

- Monitor and review agency programs, policies and activities for Title VI compliance;
- Collect and review statistical data (race, color, sex, age, disability or national origin) to prevent or eliminate potential disparate treatment discrimination;
- Work with staff involved in procurement or consulting contracts to insure that Maintain a list of interpretation service providers;
- Periodically review and update the Title VI Plan;
- Attend trainings to keep aware of non-discrimination opportunities and procedures; and,
- Resolve Title VI complaints in a timely and thorough fashion

# TITLE VI Components

## Regional Overview

As shown in the figure, the Morgantown Monongalia MPO encompasses the 366 square miles of Monongalia County, West Virginia and its incorporated municipalities including the City of Morgantown, the City of Westover and the towns of Blacksville, Granville, and Star City. The Census Bureau’s American Community Survey indicated that Monongalia County had an estimated total population of 106,420 as of 2018. Approximately, 72,509 (approximately 68%) of those residents reside in and around the urban core centered on Morgantown.



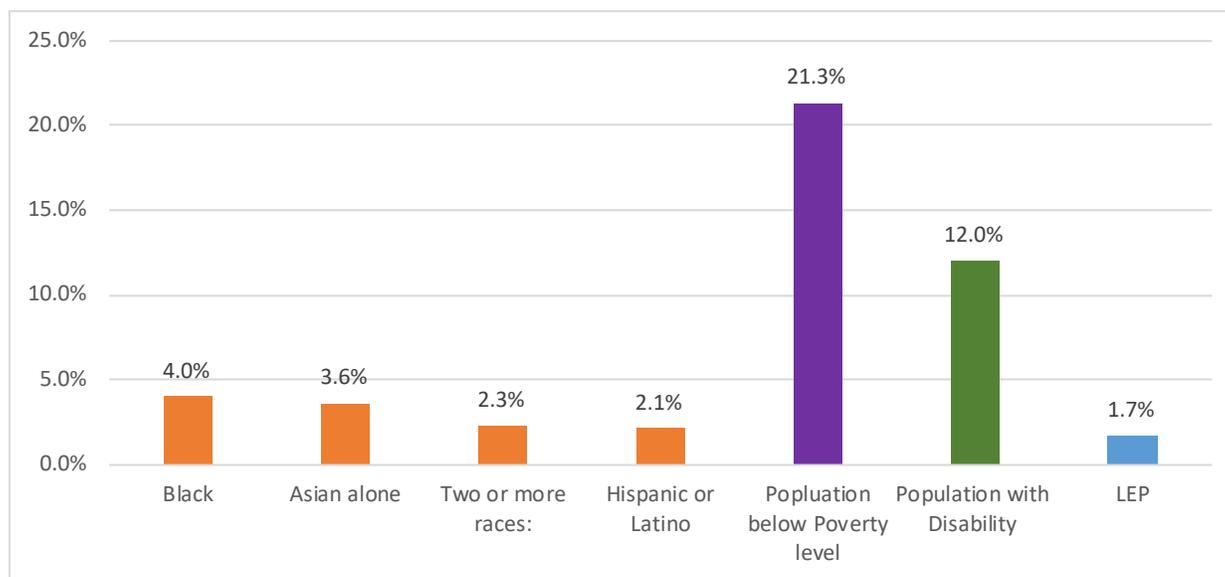
Source: Total Population, 2013-2017 American Community Survey 5-Year Estimates, B01003

In keeping with the requirements of Title VI of the Civil Rights Act of 1964 as amended, and with Executive Order 12898 which expanded the scope of previous guidance to include identifying and avoiding “disproportionately high and adverse impacts” on minority and low-income populations. The United States Department of Transportation (USDOT) Order 6640.23 requires the Federal Highway Administration and the Federal Transit Administration to implement the principles of environmental justice in all programs, policies, and activities. The three principles of environmental justice are:

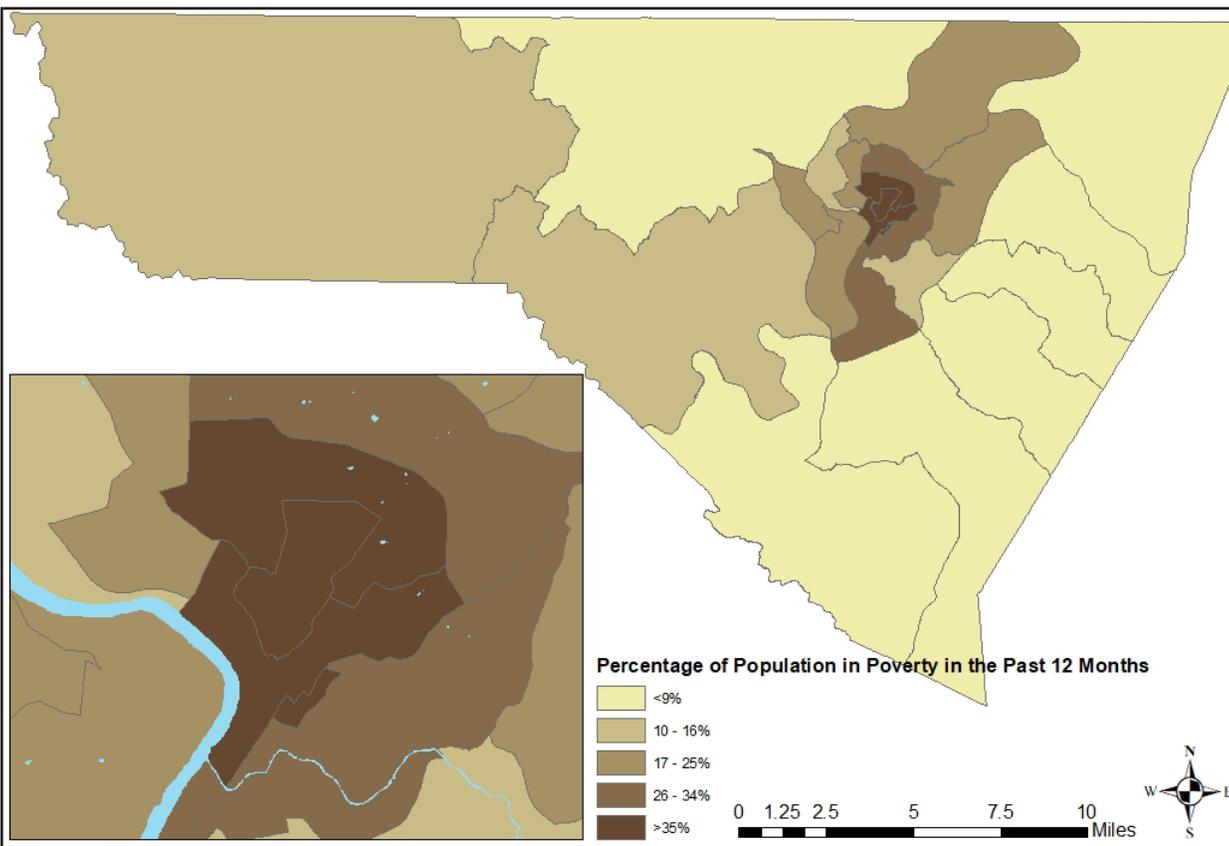
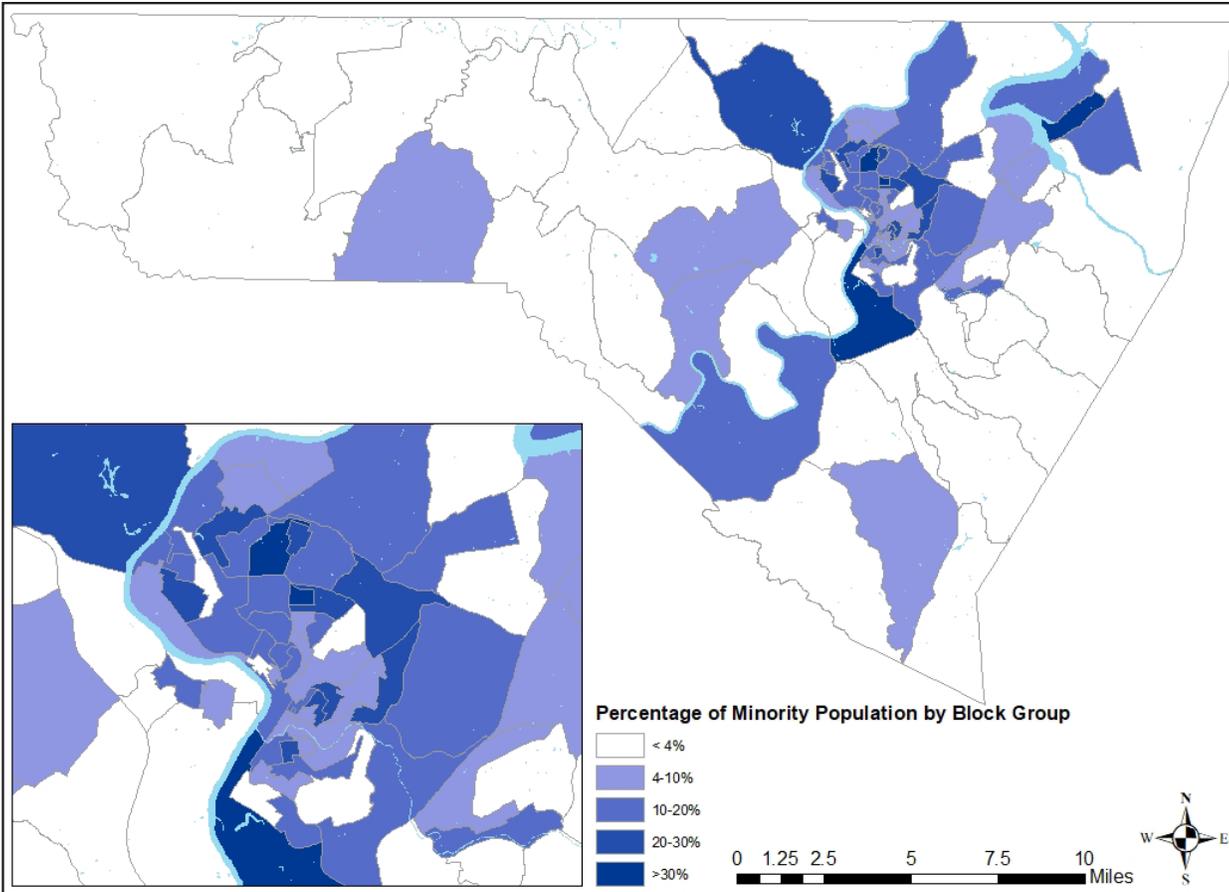
- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social economic effects, on minority populations and low income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations.

Environmental Justice has been expanded since the original Executive Order and is now focused on four groups: minorities, Low English Proficiency (LEP), low income populations, and population with a disability.

	Population	Percentage
Total Population	106420	--
Black	4257	4.0%
Asian	3831	3.6%
Two or more races	2448	2.3%
Hispanic or Latino	2235	2.1%
Population below Poverty level	22667	21.3%
Population with Disability	12770	12.0%
LEP	1809	1.7%



Source: Race, 2013-2017 American Community Survey 5-Year Estimates



## Four-Factor Analysis

In accordance with Title VI of the Civil Rights Act and the US Department of Transportation Circular FTA C 4702.1B “Title VI Requirements for Federal Transit Administration Recipients,” recipients are required to take “reasonable steps” to ensure meaningful access to their programs and activities by LEP persons.” The guidance recommends that the following four-factor analysis be used to determine how to ensure reasonable access to MMMPO activities.

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program to people’s lives.
4. The resources available to recipient for outreach, as well as the costs associated with that outreach.

### 1. Number and Proportion

The MMMPO utilized American Community Survey data to understand the language profile of LEP individuals in the MMMPO region. Individuals who speak English less than “very well” are considered to be part of the LEP population in the community. As shown in the table below 7% of Monongalia County’s population over 5 years old qualifies as LEP. There were 6,914 County residents who report that they speak a language beside English at home.

	Population Estimation	Percentage
Population 5 years and over	98,487	89.9%
Speak only English	91,573	93%
Speak a language other than English	6,914	7%
Spanish	1,596	1.6%
Other Indo-European languages	2,379	2.4%
Asian and Pacific Island languages	1,995	2%
Other languages	944	1%

### 2. Frequency

Due to the relatively small size of the LEP population in Monongalia County and the nature of the services the MMMPO provides there is infrequent interaction with the LEP community. To date, there have been no requests for services or information by either individuals or groups.

### 3. Importance

The MMMPO approves the use of federal funds for long and short term transportation projects and transit services. The MMMPO does not own or operate roads, or buses and therefore does not provide any services that requires vital, immediate or emergency assistance such as medical treatment or services for basic needs such as food or housing. Involvement with the MMMPO or its subcommittee's is strictly voluntary.

MMMPO provides opportunities for the public to comment on the use of federal funds for the key activities summarized below:

- Short range planning
- Transportation Improvement Program (TIP)
- Traffic Data
- Long Range Transportation Plan
- GIS
- Service
- Transit
- Special Studies
- Administration

The results of transportation improvements resulting from these actions may impact all residents and efforts are made to explain the process and provide opportunities to comment. The MMMPO is concerned with gathering input from all stakeholders and every effort is made to make the planning process as inclusive as possible.

Through the regional transportation planning process, selected projects receive approval for Federal funding. The implementation process including project planning and construction come under the responsibility of the West Virginia Department of Transportation or local jurisdictions or agencies. These state and local agencies or jurisdictions are required to have their own policies in place to ensure opportunities for LEP individuals to participate in the project implementation process.

### 4. Resources

Through the regional transportation planning process, selected projects receive approval for Federal funding. The implementation process including project planning and construction come under the responsibility of the West Virginia Department of Transportation or local jurisdictions or agencies. These state and local agencies or jurisdictions are required to have their own policies in place to ensure opportunities for LEP individuals to participate in the project implementation process.

## LEP Implementation Plan

-Free online translation services including that powered by Google Translate, is available on the MMMPO's website by clicking "translate" at the top right of any page of the site. As requested the MMMPO will assist in identifying other free translation services available in the community.

-Translation of select materials. Because the number and proportion of the LEP individuals in Monongalia County is low and because the cost of translation services is high (15 to 20 cents per word), translation of all materials is neither warranted or affordable. MMMPO will translate select materials such as the Title VI Policy and Complaint Form in Spanish online at the MMMPO Office.

-Oral translation. Should the need for oral translation arise the MMMPO will make a reasonable attempt to provide translation services.

-Use of language identification cards. Designated staff members at the MMMPO office will be prepared to use language identification cards when first encountering individuals with limited English proficiency. These point to your language cards or posters help to identify the language the individual speaks.

### Communications and Public Involvement

The MMMPO recognizes that public involvement is a crucial part of its mission. As a public agency the Morgantown Monongalia Metropolitan Planning Organization (MMMPO) is required to maintain a "...continuous, comprehensive and cooperative planning process." (23 USC 104) This means the MMMPO is committed to providing a proactive, open, and transparent public involvement process that actively seeks engagement from stakeholders and the public at large. The MPO strives to engage underrepresented communities and stakeholders as well as the public at large as part of its continuous process to create an open decision-making process.

#### Public Participation Plan

The MPO's Public Participation plan may be found at the website:

<http://plantogether.org/Public%20Involvement%20Policy-Adopted11-19-15.pdf>

The Public Involvement Policy also recognizes that there is a need to develop appropriate protocols to address the communities identified in Title VI, Executive Orders 12898, 13166 and other policies as previously noted. This Plan, as recognized in the Public Involvement Plan identifies the actions the MMMPO is taking now and will take in the future to address these issues.

#### Monitoring Process and Complaint Procedures

Any person who believes he or she has been discriminated against by the MMMPO on the basis of race, color, national origin, or other applicable criteria under current law may file a Title VI complaint by completing and mailing or delivering the MMMPO's Title VI Complaint Form, found in Appendix X and online at the MMMPO's website [www.plantogether.org](http://www.plantogether.org). The Complaint should be addressed to the MMMPO's Title VI Coordinator at the address below:

Morgantown Monongalia MPO  
Attention Title VI Coordinator  
82 Hart Field Road Suite 105  
Morgantown, WV 26505

A formal complaint must be submitted in writing within 180 days of the alleged occurrence or when the discrimination became known to the complainant. MMMPO's will process complete complaints.

### **Complaint Procedures**

1. Once the complaint is received, MMMPO will acknowledge the receipt of the complaint within 5 business days. The MMMPO will review the complaint to determine if it has jurisdiction over the complaint. The Complainant will receive a letter notifying her/him whether the complaint will be investigated by the MMMPO. The MMMPO has 30 days to investigate the complaint.
2. If more information is needed to resolve the case, the MMMPO may contact the Complainant. The Complainant has 30 business days from the date of the letter to send the requested information to the MMMPO's Title VI Coordinator. If the Title VI Coordinator is not contacted by the Complainant or does not receive the additional information within 30 business days, MMMPO can administratively close the case. A case can also be administratively closed if a Complainant expresses a desire to no longer pursue their case.
3. After the Title VI Coordinator reviews the complaint, he/she will issue one of two letters to the Complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and the case will be closed. An LOF summarizes the allegations and details plans for remediation actions to provide redress. The written response shall be issued not later than 90 calendar days after the complaint is received.
4. If the Complainant wishes to appeal the decision, she/he has 30 days after the date of the LOF to do so. If the Complainant is dissatisfied with the MMMPO's resolution of the complaint, he/she may also submit a complaint to the West Virginia Department of Transportation for investigation in accordance with Chapter VII, Title VI/Non-Discrimination Complaints, of Federal Transit Administration Circular 4702.1A, such a complaint must be submitted within 180 days of the alleged discrimination. Chapter IX of the FTA Circular 4702.1A, which contain the complaint process is available online at [www.fta.dot.gov](http://www.fta.dot.gov). Paper copies of the circular may also be obtained by calling FTA's Administrative Services Help Desk at 202-366-4865.

A person may also file a complaint directly to the Federal Transit Administration, at:  
FTA Office of Civil Rights  
Chief Investigations and Adjunction  
400 7th Street SW, Room 4132  
Washington, DC 20590

# Metropolitan Transportation Planning Process Certification

In accordance with 23 CFR 450 334, the West Virginia Department of Transportation and the Morgantown Monongalia Metropolitan Planning Organization, hereby certify that the transportation planning process is addressing the major issues in accordance with all applicable requirements of:

I. 23 USC 134 49 5303 and this subpart, in non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 USC 7504, 7506, c, (d), and 40 CFR part 93.

II. Title VI of the Civil Rights Act of 1964 as amended (42 USC 2000d-1) and 49 CFR part 21.

III. 49 USC 5332 prohibiting discrimination on the basis of race, color, creed, national origin, or age in employment or business opportunity

IV. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the employment of disadvantaged businesses.

V. 23 CFR part 230, regarding the implementation of an equal opportunity program on Federal-aid highway construction projects.

VI. The provisions of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq) and 49 CFR parts 27, 37 and 38.

VII. The Older Americans Act as amended ((42 USC 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal Financial Assistance.

VIII. Section 324 of title 23 USX regarding the prohibition of discrimination based on gender.

IX. Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities

Morgantown Monongalia MPO

West Virginia Department of Transportation

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_