

**BELOMAR REGIONAL COUNCIL  
AND  
INTERSTATE PLANNING COMMISSION**

***TITLE VI PLAN AND  
PROGRAM***

***FOR***

***TRANSPORTATION PLANNING  
AND PROGRAMMING***

**August, 2019**

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## INTRODUCTION

The Title VI section of the Civil Rights Act of 1964 establishes 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 federal acts have prohibited discrimination based on disability, age or sex. An Executive Order (13166) improves access to services for Persons with Limited English Proficiency while ensuring that burden of this requirement is proportional to the resources of the federal fund recipient. Another Executive Order (12898) ensures environmental justice by requiring that the effects of transportation projects and programs on minorities and persons below poverty level be considered and addressed.

Belomar Regional Council and Interstate Planning Commission (Belomar) receives funds from the United States Department of Transportation (USDOT), West Virginia Department of Transportation (WVDOT) and the Ohio Department of Transportation (ODOT). As a recipient of federal funds, a Title VI plan is required for the metropolitan area. The bi-state metropolitan area includes Belmont County in Ohio and Ohio and Marshall Counties in West Virginia.

The Title VI Plan is needed to ensure that the transportation planning process, programs and policies do not discriminate against any protected class and comply with all federal and state statutes and regulations.

The plan includes processes and procedures to ensure all programs, services and policies of Belomar are implemented without regard to race, color or national origin. This document is reviewed periodically and updated as needed.

## BACKGROUND

The Federal Aid Highway Act of 1962 required that all urbanized areas with population of 50,000 or more have a continuing, cooperative and comprehensive transportation planning process. In 1964, a Belmont-Ohio-Marshall Transportation Study (BOMTS) Coordinating Committee was formed to direct the urban transportation planning process in the Wheeling-Bridgeport urbanized area. The planning area consisted of Belmont County in Ohio and Ohio and Marshall Counties in West Virginia. The planning area is shown in Figure I.

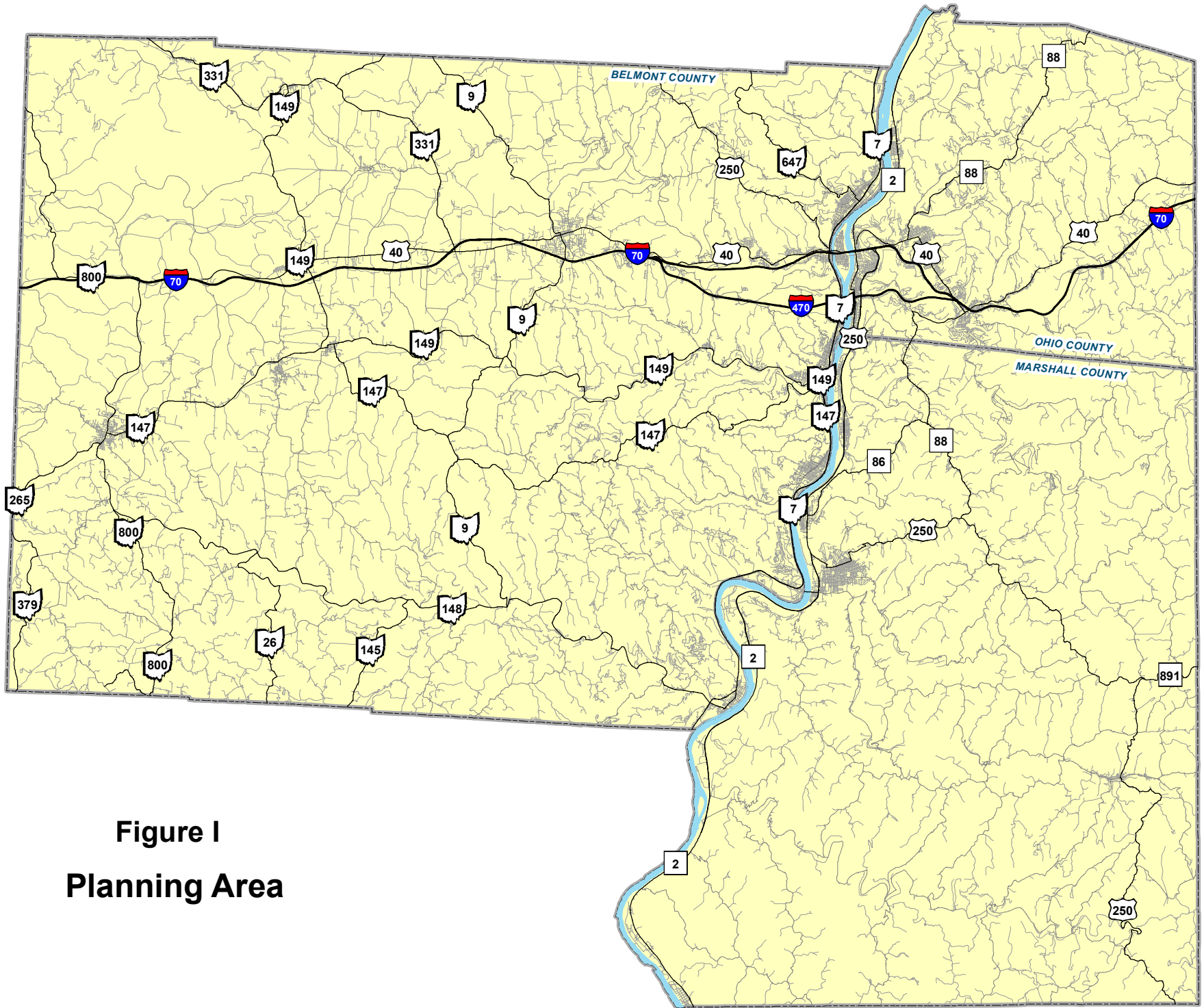
In 1969, the Belmont-Ohio-Marshall (Belomar) Interstate Planning Commission was formed through the adopted Joint Resolution and Articles of Agreement. BOMTS Coordinating Committee became the standing committee of the commission. In 1974, through an amendment, Belomar Interstate Planning Commission became the Belomar Regional Council and Interstate Planning Commission.

In 1975, through an amendment, an ad hoc committee was formed. This was the formation of the BOMTS Policy Committee. ODOT and West Virginia Division of Highways (WVDOH) became voting members of the policy committee.

From 1975 to 1977, additional agreements were signed with WVDOH, ODOT and the Ohio Valley Regional Transportation Authority (OVRTA) and the Eastern Ohio Regional Transit Authority (EORTA) for a cooperative effort for transit planning in the region.

In 1979, the BOMTS Policy Committee approved the change in membership to equate it to the membership of Belomar Regional Council. The change also approved the joint meeting of the BOMTS Policy Committee and Belomar Regional Council. Additional members, who could vote only on transportation issues, were added to the Belomar Regional Council Policy Committee. BOMTS is generally referred to as “Belomar” by the locals and all stakeholders. In this report, “Belomar”, where used, stands for the Metropolitan Planning Organization (MPO) for the Wheeling-Bridgeport Urbanized Area. The overall organization structure of the Belomar Regional Council is shown in Figure II. The current membership of the policy committee that votes on transportation issues is included in Appendix A. The policy committee essentially includes local elected officials. A few appointed officials are also included. The policy committee is assisted by a Technical Advisory Committee (TAC). TAC membership consists of mostly appointed officials involved in transportation issues. TAC membership is also included in Appendix A. The Policy Committee meets quarterly and TAC generally meets two to four times a year.

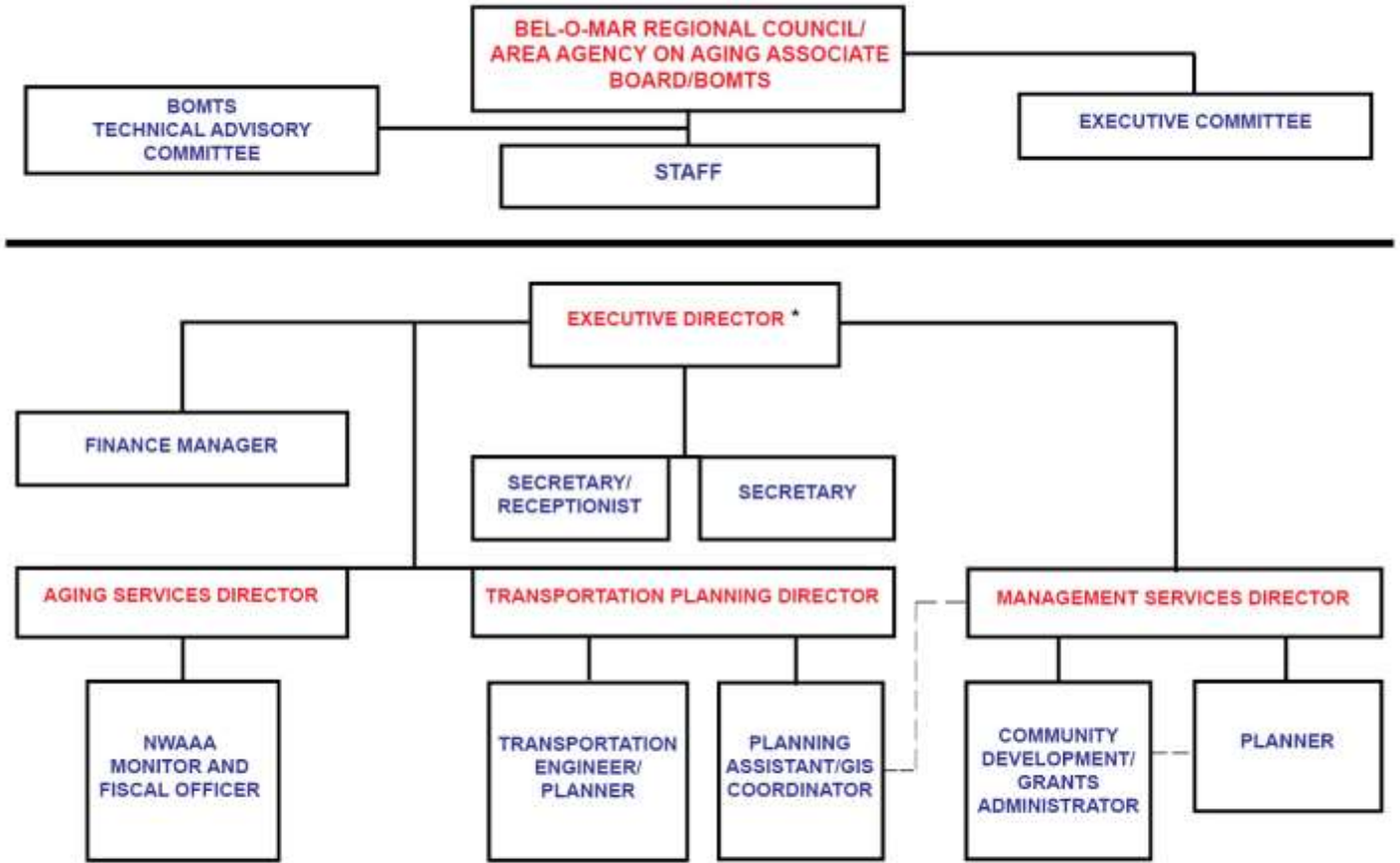
Starting with the first long range transportation plan in 1969, Belomar has adopted an all inclusive approach. All residents and stakeholders have equal opportunity to participate in the planning process. Over time, the Citizen Participation Plan was prepared; Title VI policies and complaint procedures were prepared. Environmental Justice target areas were identified and efforts were made to encourage participation from minorities and other disadvantaged groups. Since its inception in 1964, no discrimination complaint has been filed or brought to the agency’s attention.



**Figure I**  
**Planning Area**

Figure II

ORGANIZATIONAL CHART



\* Executive Director serves as the designated Title VI Coordinator.

Current as of August, 2019

Belomar is a small Metropolitan Planning Organization (MPO). The Executive Director serves as the designated Title VI Coordinator and fulfills the associated agency’s Title VI responsibilities. Executive director has gone through the Title VI training as part of the federal grant administration in West Virginia’s counties. Preference for the future training will be webinars and web-based conferences. At the direction of the Executive Director, MPO staff will participate in the Title VI related continuing education and training.

**PURPOSE**

The purpose of the Title VI Plan is to ensure that the transportation planning processes, programs and policies of the Metropolitan Planning Organization (MPO) do not discriminate against any of the protected class and to comply with all federal and state statutes and regulations.

**REGIONAL DEMOGRAPHICS**

According to the 2010 Census, the regional population is 147,950. The minority population is less than 5%. The regional demographics are shown in Table I.

**TABLE I**

County	Population	Persons 65 years or older	Minority Population	% Minority Population	*Population With a Disability	% with a Disability	*Population 5 Years & Older	*5 yrs & Older Speaks English Less Than Very Well	% 5 yrs & Older Speaks English Less than Very Well
Belmont	70,400	12,419	3,592	5.10	10,951	15.56	65,440	181	0.28
Marshall	33,107	5,814	602	1.82	4,872	14.72	30,329	67	0.22
Ohio	44,443	8,213	2,402	5.40	6,455	14.52	40,662	188	0.46
Total	147,950	26,446	6,596	4.46	22,278	15.06	136,431	436	0.32

Source: Population & Minority Population from US Census Bureau, 2010 Census

\*Source: US Census Bureau, 2013-2017 American Community Survey, 5-Year Estimates.

The percent of people with disability is 15% and the number of people who speak English less than very well is 436. This is less than 1% (0.32%) of regional population of 5 years or older.

**PUBLIC PARTICIPATION**

Public participation in the planning process has been an integral part of the planning process at Belomar since its inception. The public is invited to participate by using the news media and social media. Public notices, advertisements, website, Facebook page and the annual listing of projects is utilized for public awareness. Public participation is an essential component of the Continuing, Cooperative and Comprehensive Transportation Planning Process.

Starting with the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) of 2005, all Metropolitan Planning Organizations (MPOs) are required to have a public participation plan. Periodic review and update of this plan is also required. This plan encompasses the transportation planning process for the three county metropolitan planning area. It specifically addresses the statutory requirement and actions required for the transportation plan and transportation improvement program. It generally addresses actions to be taken for the other planning activities.

SAFETEA-LU is superseded by the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) and Fixing America's Surface Transportation Act (FAST ACT). MAP-21 and FAST ACT also require a Public Participation Plan (PPP). Belomar's first PPP was prepared in 2007. A recent update of the PPP was approved in July, 2018.

A public participation plan describes the actions to be taken to provide opportunities for a wide range of stakeholders and the general public for involvement in the transportation planning process for the metropolitan planning area. As shown in Figure I, the planning area for the Belomar plan includes Belmont County in Ohio and Ohio and Marshall Counties in West Virginia.

The activities and actions presented in this plan meet the statutory requirements for engaging the public and providing opportunities for participation in the planning process and providing input on various products generated through the continuing, comprehensive and cooperative transportation planning process. The public is made aware of the opportunities to participate via public notices, press releases, strategic placement of documents, website and social media. Key public participation procedures from this plan are included in Appendix B. The approved PPP for Belomar is used for engaging the public and Title VI protected class. This plan is available at [www.belomar.org/trans/participation-plan/](http://www.belomar.org/trans/participation-plan/).

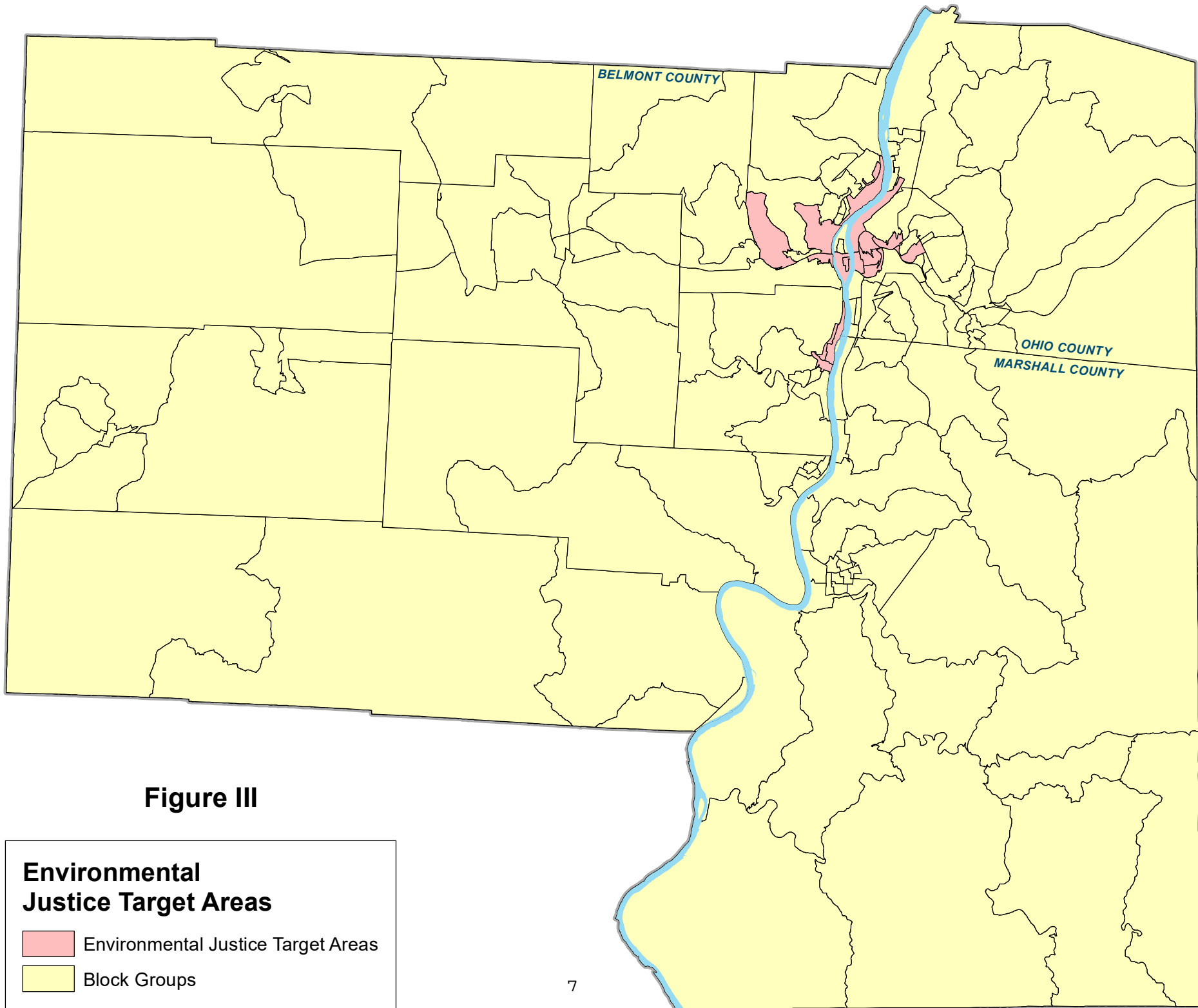
## **ENVIRONMENTAL JUSTICE**

Belomar developed a process which resulted in the identification of targeted areas regarding environmental justice. Target areas are selected based on minority population and persons below poverty level. Target areas are used to assess disproportionate adverse effects of transportation projects, plans and programs. Target areas are shown in Figure III on the next page.

For the identified target areas, hard copies of the draft Transportation Plan and/or the Executive Summary is placed at the most convenient public locations such as city buildings and public libraries. Public notices and/or press releases identify the available sites. Select members of the EJ and other target groups with known email addresses, are provided opportunities to comment and encouraged to spread the word of available opportunities, including serving as or nominating a community liaison.



As part of the coordinated public transit-human services transportation plan update, Belomar encourages the involvement of a broad range of stakeholders, including people with disabilities.





**Figure III**

**Environmental  
Justice Target Areas**

-  Environmental Justice Target Areas
-  Block Groups

## **OPPORTUNITIES FOR PEOPLE WITH DISABILITIES**

In compliance with the Americans With Disabilities Act (ADA), all Belomar facilities are wheelchair accessible. All public meetings are held at accessible locations. Upon request, reasonable accommodations are provided. People with disabilities, with known email addresses, receive notices and material for comments and review. With the implementation of Federal Transit Administration (FTA) Section 5310 program, the transit service is provided to the senior citizens and people with disabilities. The Coordinating Public Transit and Human Service Plan is required for the implementation of the Section 5310 program. This plan is approved by the Belomar Policy Board and goes through the required public participation process. This plan is available at Belomar's website at [www.belomar.org/trans/coord-plan/](http://www.belomar.org/trans/coord-plan/).

## **OPPORTUNITIES FOR NON-ENGLISH SPEAKING POPULATION**

As per the American Community Survey (ACS) of 2013 – 2017, there are 436 persons in the region who “speak English less than very well”. This is less than 1% (0.32%) of the total population 5 years or older. Of the non-English speaking group, the majority are Spanish speaking followed closely by other Indo-European languages. To date, no individual has requested language service at any public meeting or otherwise. The participation of non-English speaking persons is important, and a list of online translation providers is kept for use on as needed basis.

## **NON-DISCRIMINATION ASSURANCES**

Belomar makes concerted efforts to ensure no one is discriminated in the delivery of services and programs. However, a public notice is posted on the premises and posted on the web site, to inform the public of non-discrimination policy and the complaint process if discrimination is felt. The public notice is shown on the next page.

## **POLICY STATEMENT**

Belomar Regional Council and Interstate Planning Commission does not discriminate on the basis of race, color, national origin, age, sex, religion or disability in any of its programs or activities.

All plans, programs and services of the Belomar and contracted providers shall be operated in accordance with the nondiscriminatory provisions of Title VI of the Civil Rights Act of 1964, as amended; and other federal acts including the Civil Rights Restoration Act of 1987; Americans with Disabilities Act of 1990; Equal Pay Act of 1963; and Age Discrimination in Employment Act of 1967.

Belomar administers programs of the U.S. DOT, and abides by U.S. DOT 23 CFR 200; 49 CFR 21, 26 and 27; Environmental Justice Executive Order 12898 and Limited English Proficiency Executive Order 13166.



# Belomar Regional Council

P.O. Box 2086 • Wheeling, WV 26003

Phone: 304-242-1800

Fax: 304-242-2437

TTY/TDD 1-800-982-8771

## Notice of Public Rights Under Title VI

- In accordance with the Title VI of the Civil Rights Act and subsequent regulations, Belomar does not discriminate on the basis of race, color, national origin, disability, age or sex in programs and services offered.
- Any person who believes that he or she has been discriminated, can file a complaint using the complaint form from *Title VI Plan*, or using Contact Us form at [www.belomar.org](http://www.belomar.org) or directly with the appropriate federal or state agency following their process. Written complaints can be mailed to:

Executive Director  
Belomar Regional Council  
P.O. Box 2086  
Wheeling, WV 26003

Belomar provides equal opportunity for participation in its programs and activities. An approved Public Participation Plan is followed to engage public and special groups in the transportation planning programs and activities.

The executive director of the Belomar Regional Council oversees the functions of the Belomar and shall implement the Title VI Plan, policy and complaint procedures for the Belomar area that includes Belmont County in Ohio and Ohio and Marshall Counties in West Virginia.

## DELEGATED AUTHORITY

The Executive Director of the Belomar Regional Council is the designated Title VI Coordinator and shall be responsible for monitoring the implementation of the Title VI plan and policy. All relevant contacts for the Title VI Compliance are provided below:

### CONTACTS FOR TITLE VI

Scott Hicks, Executive Director  
Belomar Regional Council  
105 Bridge Street Plaza  
Wheeling, WV 26003  
Phone: 304-242-1800 Fax: 304-242-2437  
Email: [hicks@belomar.org](mailto:hicks@belomar.org)  
Website: [www.belomar.org](http://www.belomar.org)

Ohio Civil Rights Commission  
Central Office/Columbus Regional Office  
30 East Broad Street, Fifth Floor  
Columbus, OH 43215  
Phone: 614-466-2785 Fax: 614-466-8776  
Toll Free: 1-888-278-7101  
Website: <http://crc.ohio.gov>

West Virginia Department of Transportation  
Equal Employment Opportunity  
1900 Kanawha Boulevard, East  
Charleston, WV 25304  
Phone: 304-558-3931 Fax: 304-558-4236  
Email: [dot.eeo@wv.gov](mailto:dot.eeo@wv.gov)  
Website: [www.transportation.wv.gov/eeo](http://www.transportation.wv.gov/eeo)

West Virginia Equal Employment  
Opportunity Office  
50 Dee Drive  
Charleston, WV 25311  
Phone: 304-558-0400 or 0864  
Fax: 304-558-3861  
Website: <https://eeo.wv.gov>

WV Human Rights Commission  
1321 Plaza East, Room 108  
Charleston, WV 25301-1400  
Phone: 304-558-2616 Fax: 304-558-0085  
Toll Free: 1-888-676-5546  
Website: <https://hrc.wv.gov>

Wheeling Human Rights Commission  
51 – 16<sup>th</sup> Street  
Wheeling, WV 26003  
Phone: 304-234-3609 Fax: 304-234-3899  
Email: [hrc@wheelingwv.gov](mailto:hrc@wheelingwv.gov)  
Website: <https://www.wheelingwv.gov/human-rights-commission>

Ohio Department of Transportation  
Office of Equal Opportunity Administrator  
1980 West Broad Street  
Columbus, OH 43223  
Phone: 614-728-9245  
Toll Free: 1-877-845-5058  
Website: [www.dot.state.oh.us](http://www.dot.state.oh.us)

## TITLE VI COMPLAINT PROCESS

Belomar has instituted a complaint procedure that includes a Complaint Form and a Complaint Log. Both documents are included in Appendix C. The complaint process has the following steps:

1. Title VI says “that no person in the United States shall, on the grounds of race, color or national origin, be denied the benefits of or be subject to discrimination under any program or activity receiving Federal financial assistance.” Written complaints recorded on the attached “Complaint Form” are to be date stamped by the person who received the complaint and entered into the attached “Complaint Log.” Documented receipts are to be provided to complainants who hand deliver complaints. Complaints are also received on the website. Online complaints will be acknowledged online and logged in the log form. Person(s) filing a written complaint must use the “complaint form”.

Alternatively, a complaint can be filed at local or state agencies using contact information on page 10.

2. Complaints must be filed with the agency within one hundred eighty (180) days of the date of the alleged discriminatory act or treatment occurred.
3. When complaints are received by the Executive Director, the complainant shall be referred to the Ohio Department of Transportation or the West Virginia Department of Transportation, based on the origin of the complaint, within three (3) business days of the date of receipt. The Ohio Department of Transportation or the West Virginia Department of Transportation will forward complaints to the FHWA or FTA. A final report after inquiry will be issued within one hundred eighty (180) days of the date of filing the complaint.
4. Any party dissatisfied with the Final Report will be advised of the right to file a complaint with the applicable state and/or federal agency.
5. No person who has filed a complaint, testified, assisted or participated in any manner in an investigation shall be intimidated, threatened, coerced or retaliated against.

To date, no Title VI Complaint has been received by Belomar.

## CONTRACT COMPLIANCE

Belomar contracts have primarily been with contractors on the ODOT or WVDOT’s approved contractor list. These are pre-qualified contractors and are required to include non-discrimination clauses in the contract. Belomar also follows Section 5G of the West Virginia Code for other contracts. Since WVDOT provides most planning funds to Belomar, Section 5G process will also be used in the planning area for other contracts. All contractors will be required to include non-discrimination clauses in their contracts.

## TITLE VI AND THE TRANSPORTATION PLANNING PROCESS

The planning process is all inclusive and transparent. The general public and all stakeholders are provided opportunities for participation at key decision points in the process. A Public Participation Plan (PPP) includes specific actions for public outreach and participation. This plan is reviewed periodically and updated as needed. The PPP is available on the website at [www.belomar.org](http://www.belomar.org). Key procedures from this plan are included in Appendix B. The PPP is reviewed and updated periodically.

Belomar's office is located on a fixed transit route and is an ADA compliant accessible office. A website and Facebook page are maintained and opportunity exists to provide comments online 24/7. Public notices and press releases are issued and posted on the website and social media as needed to seek input. For key documents, open houses are held.

After each decennial census, environmental justice (EJ) target areas are identified based on minority population and persons below poverty level. These target areas are used to study if the transportation projects or programs will have any adverse effect. The residents of the target areas are also encouraged to participate in the planning process as documented in the Belomar participation plan.

A Long Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP) are the primary documents prepared by the MPO. In the preparation of these documents, Belomar describes the analyses and outreach efforts undertaken for providing equal opportunity for participation starting from the initiation to adoption of each document. EJ target areas are used to study the adverse effects of the plan projects and TIP projects. Any adverse effect identified is further analyzed for mitigation. This process is explained in the LRTP and TIP documents. The Long Range Plan is updated every five years and an air quality conformity determination of the plan is done every four years. The TIP is updated biennially and includes all federally funded and regionally significant highway, transit and other transportation projects.

An annual work program for utilizing FHWA/FTA consolidated planning funds is prepared. This work program includes a certification that the transportation planning process is in conformance with regulations and is being conducted in accordance with all applicable requirements. Applicable requirements include the requirements of Title VI of the Civil Rights Act of 1964, as amended. A copy of the recent certification is included in Appendix D.

An extensive Title VI Assessment Tool used by the Ohio Department of Transportation is also used to ascertain compliance with Title VI requirements. This tool is included in Appendix D. A Notice of Public Rights Title VI is available 24/7 at the agency website and posted in the office.

**APPENDIX A**

**POLICY COMMITTEE AND  
TECHNICAL ADVISORY COMMITTEE (TAC)  
MEMBERSHIP**

## POLICY COMMITTEE MEMBERSHIP

<b>Last Name</b>	<b>First Name</b>	<b>Title</b>	<b>Affiliation</b>
Lorimor	Crystal	Director	Belmont Co. CIC
Meyer	Josh	President	Belmont County Commission
Dutton	JP	Commissioner, Belomar Vice Chair - OH	Belmont County Commission
Echemann	Jerry	Vice President	Belmont County Commission
Kuca	Edward	Mayor	City of Benwood
Scott	Betty	Mayor	City of Cameron
Blazer	Dave	Mayor	City of Glen Dale
Krajnyak	Bob	Mayor	City of Martins Ferry
Goddard	David	Mayor	City of McMechen
Remke	Phil	Mayor	City of Moundsville
Pugh	Terry	Mayor	City of St. Clairsville
Herron	Robert	City Manager	City of Wheeling
Elliott	Glenn	Mayor	City of Wheeling
Ferro	Mike	Commissioner	Marshall County Commission
Gruzinkas	John	Commissioner, Belomar Chairman	Marshall County Commission
Twigg	Bernard	Wesbanco	Marshall County Representative
McCormick	Tim	Commissioner, Belomar Vice Chair - WV	Ohio County Commission
Wharton	Randy	Commissioner	Ohio County Commission
Rigby	Don	Executive Director	Regional Economic Development Partnership
Murphy	Kenneth	Mayor	Town of Triadelphia
Griffith	Mark	Mayor	Town of West Liberty
Bunting	Dale	Mayor	Village of Barnesville
DiFabrizio	Vince	Mayor	Village of Bellaire
Sobel	Stan	Mayor	Village of Belmont
Lucas	Martin	Mayor	Village of Bethesda
Junkins	Don	Mayor	Village of Bethlehem
Smith	David	Mayor	Village of Bridgeport
Terek	Roy	Mayor	Village of Brookside
Reinacher	Charles	Mayor	Village of Clearview
Vincenzo	Angelo	Mayor	Village of Flushing
Pelkowski	Susan	Mayor	Village of Holloway
Stitt	Heather	Mayor	Village of Morristown
Haught	Jeff	Mayor	Village of Powhatan Point
Newhart	Bob	Mayor	Village of Shadyside
Kleeh	Chad	Mayor	Village of Valley Grove
Thalman	Chad	Vice Mayor	City of Wheeling
Weishar	Lisa	Executive Director	OVRTA/EORTA



## TAC MEMBERSHIP

<b>Last Name</b>	<b>First Name</b>	<b>Title</b>	<b>Representing</b>
Lorimor	Crystal	Director	Belmont Co. CIC
Lively	Terry	Engineer	Belmont County
Atkins	Anthony	Director	Belmont County GIS
Porter	Scott	Service Director	City of Martins Ferry
Healy	Rick	City Manager	City of Moundsville
Murphy	Tom	Planning and Zoning Administrator	City of St. Clairsville
Herron	Robert	City Manager	City of Wheeling
Slanina	Conrad	City Engineer	City of Wheeling
Prager	Nancy	ECD Director	City of Wheeling
Stein	Stanley	Representative	EORTA
Leffler	Laurie	Division Administrator	FHWA - Ohio Division
Mero	Laura	Planning and Environmental Specialist	FHWA - Ohio Division
Inglis-Smith	Chandra	Transportation Planning Specialist	FHWA - WV Division
Workman	Jason	Director, Office of Program Development	FHWA - WV Division
DeAngelis	Michele	Transportation Program Specialist	FTA - Philadelphia
Long	Ryan	Community Planner, Off. of Plan. & Comm. Dev.	FTA Region 3
Granato	Sam	Modeling and Forecasting	ODOT
Warner	Scott	District Planning Engineer	ODOT
Shepler	Andrew	MPO Planner	ODOT
Moore	Dave	Statewide Planning Manager	ODOT
Hostin	Juana	Program Coordinator	ODOT
Townley	Jennifer	Deputy Director	ODOT - Division of Planning
Dyer	Chuck	Administrator - Office of Transit	ODOT - Division of Planning
Stewart	Greg	Administrator	Ohio County Commission
Thompson	Dana	Manager, Compliance and Enforcement	Ohio EPA, Division of Air Pollution Control
Weishar	Lisa	Executive Director	OVRTA/EORTA
O'Leary	Craig	Program Director	Regional Economic Development Partnership
Vacant		Administrator	Village of Bellaire
Tipton	Terry	Board of Public Affairs	Village of Shadyside
Robinson	Bill	Executive Director	West Virginia Division of Public Transit
Sullivan	Kevin		WV Division of Highways
Fewell	David	Technical Analyst	WVDEP, Division of Air Quality
Kinsey	Chris		WVDOT
Keller	Perry	Statewide Planning, Planning Division	WVDOT
Penn	Elwood	Director, Planning Division	WVDOT
Brabham	David	District Engineer	WVDOT, Division of Highways, District Six

## **APPENDIX B**

### **KEY PROCEDURES FROM THE APPROVED PUBLIC PARTICIPATION PLAN**

## APPENDIX B

### PUBLIC PARTICIPATION PROCEDURES

A listing of the involvement process for the Transportation Plan is as follows:

1. Belomar will publish a public notice in the local newspapers seeking early public involvement in developing the plan. The public notice will seek public input for at least a fourteen (14) day comment period. The notice will be posted on the agency website and linked to the agency Facebook page.
2. An email will be sent to all stakeholders, including special groups, with known email addresses providing them opportunity for input and/or participation in the plan development process.
3. A comment input form will be available on the website. Upon the completion of a draft plan, a public notice will be published in the local newspapers announcing the scheduling of at least one (1) public meeting on the document.

The public notice will initially appear in the newspapers at least fourteen (14) days before the scheduled date of any public meeting. A second copy of the public notice will be republished at least five (5) days before the meeting. The draft plan will be available on the website, in local libraries and in Belomar's office. The draft document availability announcement and an online link to the plan will be sent to all stakeholders and special groups with known email addresses.

4. Public meetings will be held at an accessible location. Upon request, reasonable accommodations will be provided for people with disabilities. Reasonable accommodation will also be provided, upon request, to non-English speaking individuals. At least one meeting will be held at a location accessible by public transit.
5. Visual graphics and maps will be utilized for the public meetings.
6. The comment period will be a minimum of fourteen (14) days prior to the meeting at which the Policy Committee action is anticipated on the draft document. Comments will be received online, onsite, via mail, on social media, email, and in person.
7. A copy of the draft plan will be available at the office of the Belomar Regional Council at 105 Bridge Street Plaza, Wheeling, West Virginia and will be placed in local libraries. Belomar will also provide reasonable access for public review of the technical and policy information used in developing the plan. Paper copies of the draft plan will be made available upon request. A charge for reproduction may be applied. In addition, the plan will be available on the agency website and will be accessible via Facebook.
8. The draft plan will be provided to members of the Resource Advisory Group (RAG) and the air quality agencies in a time frame consistent with the fourteen (14) day comment period.
9. Written comments on the draft plan should be directed to Transportation Director, Belomar Regional Council, P.O. Box 2086, Wheeling, WV 26003. A written response will be provided in a timely fashion, generally within ten (10) working days, to substantive comments.

10. Comments generated on the draft plan will be evaluated and the results of this evaluation will be reflected in the final plan. More specifically, significant written comments received will be summarized in a separate section of the document, which will describe Belomar's response to the received comments.
11. If it becomes apparent that the final plan will differ significantly from the draft plan initially made available for public comment and raises new material issues which interested parties could not have reasonably foreseen, Belomar will again make the document available for public comment subject to the requirements as those followed in seeking public involvement on the draft plan.

## TRANSPORTATION PLAN REVISION

1. Regarding revision(s) to the Transportation Plan, once it is formally adopted by the BOMTS Policy Committee, press releases will be issued in advance of any proposed revision. Such releases will describe the proposed revision and indicate the duration of the comment period, which will be a minimum of fourteen (14) days from the date of issue. Belomar will also provide reasonable access for public review of the technical and policy information used in developing the revision.
2. The press release will be posted on the agency website. Notice regarding the Transportation Plan revision will also be provided to the RAG and to the air quality agencies in accordance with the Memorandum of Understanding (MOU).
3. Written comments on the plan revision should be directed to Transportation Director, Belomar Regional Council, P.O. Box 2086, Wheeling, WV 26003. A written response will be provided in a timely fashion, generally within ten (10) business days, to substantive comments.
4. Comments generated on the plan revision will be evaluated and the results of this evaluation will be reflected in the plan. More specifically, significant written comments received will be summarized in a separate section of the document, which will describe Belomar's response to these comments.
5. If it becomes apparent that the plan revision will differ significantly from the plan revision initially made available for public comment and raises new material issues which interested parties could not have reasonably unforescen, Belomar will again make the document available for public comment, subject to the same requirements as those followed in seeking initial public involvement on the plan revision.
6. Belomar will make the approved plan available for information purposes on the website and onsite.
7. The final plan, along with all revisions, will remain available for review on the agency website throughout its effective time frame.
8. A response to comments received on the approved plan will be provided within a reasonable time generally ten (10) business days.

The public involvement process for the development of the Transportation Improvement Program (TIP) and subsequent revision(s) is:

1. Belomar will publish an early involvement notice in the local newspapers during the month of January. This time frame is subject to change in order to maintain consistency with the development schedules established by the State of Ohio and the State of West Virginia. The public notice will seek public input for at least a fourteen (14) day comment period. The notice will be available on the website and on the Facebook page. An input form for comments will also be available on the website.
2. Public notices regarding the availability of the draft TIP will initially be published in local newspapers at least one (1) week before the scheduled beginning of the public comment period. The comment period itself will be for a minimum of fourteen (14) days prior to the meeting at which Policy Committee action is anticipated on the document. These notices will be published in consistency with the development schedules established by the State of Ohio and the State of West Virginia. A second copy of the public notice will be published during the comment period. The notices will be posted on the agency website; however, the date of posting will have no effect on the timeframe noted above.
3. A copy of the draft TIP will be available for review at the office of the Belomar Regional Council at 105 Bridge Street Plaza, Wheeling, West Virginia and on the agency website and Facebook page. The local draft TIP will additionally be incorporated into the Statewide Transportation Improvement Programs (STIPs) for the States of Ohio and West Virginia and made available for review and comment in accordance with the procedures of the respective states. As much as possible, the comment period for the TIP will be coordinated with the comment period for the STIP. Belomar will also provide reasonable access for public review of the technical and policy information used in developing the document. Paper copies of the draft TIP will be made available upon request. A charge for reproduction may be applied.
4. The draft TIP will be posted on the agency website during the 14 day comment period described above. The public notices will note the posting and identify the web address.
5. The draft TIP will be sent to the members of the Resource Advisory Group and the air quality agencies for review and comment, consistent with the time frame for the public comment period.
6. Written comments on the draft TIP will be directed to Transportation Director, Belomar Regional Council, P.O. Box 2086, Wheeling, WV 26003. Comments will also be received on the website <http://www.belomar.org> and by email at [belomar@belomar.org](mailto:belomar@belomar.org). A written response will be provided in a timely fashion, generally within ten (10) working days, to all substantive comments.
7. Comments generated on the draft TIP will be evaluated and the results of this evaluation will be reflected in the final TIP. More specifically, significant written comments received will be summarized in a separate section of the document, which will describe Belomar's response(s) to these comments.
8. If it becomes apparent that the final TIP will differ significantly from the draft TIP initially made available for public comment and raises new material issues which interested parties could not have reasonably foreseen, Belomar will again make the document available for public comment subject to the same requirements as those followed in seeking public involvement on the draft TIP. These public involvement requirements however, are subject to consistency with the development schedules established by the State of Ohio and the State of West Virginia.
9. Regarding amendments to the final TIP, once it is formally adopted by the BOMTS Policy Committee, press releases will be issued to the major newspapers in the area in advance of any proposed revision. Such releases will describe the proposed amendments and indicate the duration of the comment period. Belomar will also provide reasonable access for public review of the technical and policy information

used in developing the revision. Administrative modification and revisions to ODOTs statewide line item projects and WVDOT's groupable projects will be done according to the procedures established by each state.

10. The press release will be posted on the agency website and Facebook page. Notice regarding the TIP revision will also be provided to the RAG and to the air quality agencies in accordance with the MOU.
11. Written comments on the TIP revision will be directed to Transportation Director, Belomar Regional Council, P.O. Box 2086, Wheeling, WV 26003. Comments will also be received on the agency website and by email. A written response will be provided in a timely fashion, generally within ten (10) working days, to all comments.
12. Comments generated on the TIP revision will be evaluated and the results of this evaluation will be reflected in the TIP. More specifically, significant written comments received will be summarized in a separate section of the document, which will describe Belomar's response to these comments.
13. If it becomes apparent that the TIP revision will differ significantly from the TIP revision initially made available for public comment and raises new material issues which interested parties could not have reasonably foreseen, Belomar will again make the document available for public comment subject to the same requirements as those followed in seeking initial public involvement on the TIP revision. These public involvement requirements however, are subject to consistency with the schedules established by the State of Ohio and the State of West Virginia.
14. Belomar will make the approved TIP available for information purposes on the agency website and Facebook page.
15. The final TIP, along with all revisions, will remain available for review on the agency website throughout its effective time frame.

## **ENVIRONMENTAL JUSTICE AND OTHER TARGET POPULATIONS**

Belomar developed a process which resulted in the identification of targeted areas regarding environmental justice. Target areas are selected based on minority population and persons below poverty level. Target areas are used to access disproportionate adverse effects of transportation projects, plans and programs. Additional transportation analyses include persons 65 years or older, households with zero automobile, persons with disabilities and non-English speaking. These population groups are generally considered to be underserved by existing transportation systems and are associated with the mobility impairment and mode choice.

For the identified target areas, hard copies of the draft Transportation Plan and/or the Executive Summary will be made available at the most convenient public locations such as city buildings and public libraries. Public notices and/or press releases will identify the available sites. Select members of the EJ and other target groups with known email addresses, will be provided opportunities to comment and encouraged to spread the word of available opportunities, including serving as or nominating a community liaison. Outreach efforts will also include community liaisons.

As part of the coordinated public transit-human services transportation plan update, Belomar will facilitate and encourage the involvement of a broad range of stakeholders, including people with disabilities.

## **ADVOCACY AND SPECIAL PURPOSE GROUPS**

Information regarding opportunities to participate and provide input will be sent to all known and relevant advocacy and special groups. This will be communicated by email. Select meetings will be attended to stay connected and stay in tune with issues and preferred solutions. Occasionally surveys will be conducted to seek input.

## **PUBLIC MEETINGS**

Transportation related meetings will continue to be open to the public and held at accessible locations. Meeting notices will continue to be provided to local newspapers, radio stations and television stations, and will be posted to the agency website. The format of the meetings will be interactive.

**APPENDIX C**

**TITLE VI COMPLAINT DOCUMENTS**



## BOMTS TITLE VI COMPLAINT FORM

Page 1

1. Name	2. Phone	3. Home Address (street #, city, state, zip)
4. If applicable, name of person(s) who allegedly discriminated against you		
5. Location and position of person(s) if known		6. Date of alleged incident
7. Discrimination because of  <div style="display: flex; justify-content: space-around;"><span><input type="checkbox"/> Race / color</span><span><input type="checkbox"/> Creed / religion</span><span><input type="checkbox"/> Age</span></div> <div style="display: flex; justify-content: space-around;"><span><input type="checkbox"/> National origin</span><span><input type="checkbox"/> Disability</span><span><input type="checkbox"/> Retaliation</span></div>		
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.		

## BOMTS TITLE VI COMPLAINT FORM

9. Why do you believe these events occurred?

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses, fellow employees, supervisors, others):

Name	Job Title	Address	Phone Number
------	-----------	---------	--------------

Signature

Date

## BOMTS TITLE VI COMPLAINT LOG

	NAME	DATE	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			

If hand delivered, document with a receipt and give copy to complainant.

**BELMONT-OHIO-MARSHALL TRANSPORTATION STUDY  
TITLE VI (CIVIL RIGHTS) POLICY AND COMPLAINT PROCEDURE**

**I. Statement of Policy**

WHEREAS, all plans, programs and services of the Belmont-Ohio-Marshall Transportation Study (BOMTS) and contracted providers shall be operated in accordance with the nondiscriminatory provisions of Title VI of the Civil Rights Act of 1964, as amended; the Federal Register; U.S. Department of Transportation 23 Code of Federal Regulation (CFR), Part 200.9 and 49 CFR, Parts 21, 26 and 27, Part V dated December 6, 2000; and,

WHEREAS, BOMTS administers programs of the U.S. DOT, and abides by U.S. DOT 23 and 49 CFR Parts 200.9 and 21, 26 and 27, respectively; and, in the event BOMTS distributes federal aid funds to another government entity, BOMTS will include Title VI language in all written agreements and will monitor for compliance; and

WHEREAS, the Transportation Study Director of the BOMTS and/or his/ her designee shall implement the BOMTS Title VI Policy and Complaint Procedure for the Study Area, which includes Belmont County in Ohio, and Ohio and Marshall Counties in West Virginia.

**II. Delegated Authority**

The Transportation Study Director and/or his or her designee shall be responsible for monitoring the implementation of the BOMTS Title VI Policy and Complaint Procedure, but not necessarily limited to the following:

1. Receiving and, if necessary, assisting with the writing of discrimination complaints which are filed by users of BOMTS Plans, Programs or Services.
2. Upon request, providing BOMTS users with copies of the BOMTS Title VI Policy and Complaint Procedure.

**III. Complaint Procedure**

The BOMTS shall have in effect the complaint process noted below which incorporates the elements of due process. These procedures cover all complaints regarding BOMTS programs or activities filed under Title VI of the Civil Rights Act of 1964 or 49 CFR 21, "Nondiscrimination in the Federally - Assisted Programs of the United States Department of Transportation." The process follows the steps identified below:

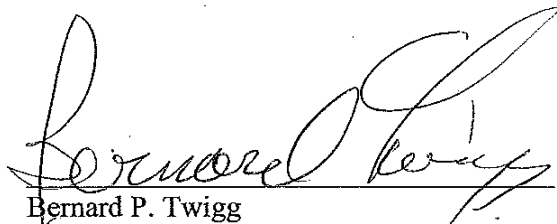
1. Title VI says “that no person in the United States shall, on the grounds of race, color or national origin, be denied the benefits of or be subject to discrimination under any program or activity receiving Federal financial assistance.” Written complaints recorded on the attached “Complaint Form” are to be date stamped by the person who received the complaint and entered into the attached “Complaint Log.” Documented receipts are to be provided to complainants who hand deliver complaints.
2. Complaints must be filed with the agency within one hundred eighty (180) days of the date of the alleged discriminatory act or treatment occurred.
3. When complaints are received by the BOMTS Transportation Study Director, the complainant shall be referred to the Ohio Department of Transportation or the West Virginia Department of Transportation, based on the origin of the complaint, within three (3) business days of the date of receipt. The Ohio Department of Transportation or the West Virginia Department of Transportation shall conduct its inquiry and issue its Final Report within one hundred eighty (180) days of the date of filing the complaint.
4. Any party dissatisfied with the Final Report will be advised of the right to file a complaint with the applicable state and or federal agency.
5. No person who has filed a complaint, testified, assisted or participated in any manner in an investigation shall be intimidated, threatened, coerced or retaliated against.

This document has been developed and designed in accordance with guidelines and procedures as enumerated in the preceding paragraphs.

#### **IV. Effective Date**

Adopted this 29<sup>th</sup> day of July, 2004.

Attest:



Bernard P. Twigg  
Chairman  
Bel-O-Mar Regional Council/  
BOMTS Policy

**APPENDIX D**

**SELF-CERTIFICATION AND  
ODOT TITLE VI COMPLIANCE TOOL**

## METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

In accordance with 23 CFR 450.334, the West Virginia Department of Transportation and, the Ohio and West Virginia Departments of Transportation and the Belmont – Ohio – Marshall Transportation Study, the Metropolitan Planning Organization for the Wheeling, WV – OH urbanized area, hereby certify that that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- II. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- III. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- IV. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- V. Section 1101(b) of the SAFETEA– LU (Pub. L. 109–59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- VI. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- VII. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- VIII. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- IX. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- X. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Belmont – Ohio – Marshall Transportation  
Study (BOMTS)

Scott Hines  
Signature

EXECUTIVE DIRECTOR  
Title

5/4/16  
Date

West Virginia Department of Transportation

Robert Heavrington  
Signature

Deputy State Highway Engineer  
Title

5/4/16  
Date

Ohio Department of Transportation

Lloyd V. Macaluso  
Signature

District II Deputy Director  
Title

5/04/16  
Date

## Metropolitan Planning Organizations (MPOs) & Regional Transportation Planning Organizations (RTPOs)

### General

1. Which office within your organization has lead responsibility for Title VI compliance?

Administration- Executive Director

2. Who is your designated Title VI Coordinator? Please provide the person's name, title and contact information.

Scott Hicks  
Executive Director  
Email: [hicks@belomar.org](mailto:hicks@belomar.org)  
304-242-1800

3. Does your organization have a Title VI Program Plan? If so, please provide the website link or attach a copy.

<https://www.belomar.org/wordpress/wp-content/uploads/2018/09/bomts-title-VI-plan-for-transportation-planning.pdf>

4. Does your organization have a Title VI policy? If so, please provide the website link or attach a copy.

Yes (see Attachment I)

5. Does your organization have written Title VI complaint procedures? If so, please provide the website link or attach a copy.

Yes (see Attachment I)

6. Does your organization have a Title VI complaint form? If so, please provide the website link or attach a copy.

Yes (see Attachment I)

7. Does your organization make the public aware of the right to file a complaint? If so, describe how this is accomplished.

Via webpage



8. In the past three years, has your organization been named in any Title VI and/or other discrimination complaints or lawsuits?

Agency was not named in any discrimination complaint or law suit during the past three years.

Bel-O-Mar has never received any Title VI complaint.

9. If so, please provide the date the action was filed, a brief description of the allegations and the current status of the complaint or lawsuit. Describe any Title VI-related deficiencies that were identified and the efforts taken to resolve those deficiencies.

N/A

10. Has your organization provided written Title VI Assurances to ODOT? Is the Title VI Assurance included in the MPO self-certification resolution (Note, this only applies to MPOs, RTPOs do not approve self-certification resolutions)? If so, please provide a copy as an attachment.

Yes (see Attachment II)

11. Does your contract language include Title VI and other non-discrimination assurances?

Yes

12. Do you use any of the following methods to disseminate Title VI information to the public (select all that apply):

- i. Title VI posters in public buildings Yes
- ii. Title VI brochures at public events
- iii. Title VI complaint forms in public buildings
- iv. Title VI complaint forms at public events
- v. Title VI policy posted on your website Yes
- vi. Title VI Program Plan posted on your website Yes
- vii. Other (Please explain)

**Public Involvement**

13. Does your organization have a Public Participation Plan? If so, please provide the website link or attach a copy. When was the Public Participation Plan most recently updated?

Yes, available at <https://www.belomar.org/trans/participation-plan/>

Update in July, 2018

14. Please select which of the following outlets your organization uses to provide notices to different population groups (select all that apply):

- i. Neighborhood and community paper advertisements Yes
- ii. Community radio station announcements
- iii. Church and community event outreach Yes
- iv. Targeted fliers distributed in particular neighborhoods Yes
- v. Other (Please explain) Place documents for review and comments in Environmental Justice target areas.

15. Do you coordinate with local community groups to facilitate outreach to minorities and low-income populations? If so, please list groups. We approach local branch of the NAACP as needed.

16. Do you take the following into consideration when identifying a public meeting location (select all that apply):

- i. Parking Yes
- ii. Accessibility by public transportation
- iii. Meeting times Yes
- iv. Existence of ADA ramps Yes
- v. Familiarity of community with meeting location Yes

17. Have meeting participants requested special assistance (e.g., interpretation services) ahead of any public event in the past year? If so, describe how the request was addressed.

Enquired about the wheel chair accessibility of the board meeting location. They were informed that the location is wheel chair accessible.

### Limited English Proficiency (LEP) and Language Assistance

18. Are you familiar with the LEP four-factor analysis methodology?

Yes, less than 2% of the population speaks language other than English. No non-english speaking person has asked for assistance in three decades. Small MPO has limited resources and retains list of websites



## Transportation Planning Program - Data Collection and Analysis

28. Does your agency maintain documentation describing its procedures for incorporating Title VI requirements into the region's transportation planning program?

No formal documentation is kept. Necessary descriptions/analyses are included in documents as needed. Process for EJ analysis is included in the LRP and TIP.

29. Does your organization maintain socio-demographic data and mapping for the transportation planning region?

Yes

30. Does your organization use data to identify protected groups for consideration in the planning process?

Yes

31. Does your organization conduct Transportation Plan and Transportation Improvement Program environmental justice analyses of the impacts that planned transportation system investments will have on both minority (including low-income status populations) and non-minority areas? Discuss the assessment methodology and resulting documentation.

Yes. EJ analysis is done for both documents and the methodology is included in both documents that are available on our website [www.belomar.org](http://www.belomar.org).

32. Does your organization track demographic information of participants in its transportation planning program public involvement events?

No

## Technical Assistance

33. Provide the name, title, and contact information for the person who completed this questionnaire and the date the questionnaire was completed. Is this the person who should be contacted with follow-up questions? If not, please provide the name, title, and contact information for that individual.

Rakesh Sharma, Transportation Director. 2/15/2019

34. Do you have any questions regarding this questionnaire? If so, please include them here along with your email address or telephone number and an ODOT representative will respond.

No

35. Would your organization like Title VI training or other Civil Rights technical assistance from ODOT? If yes, please explain.

Yes! Preferably as online webinar.