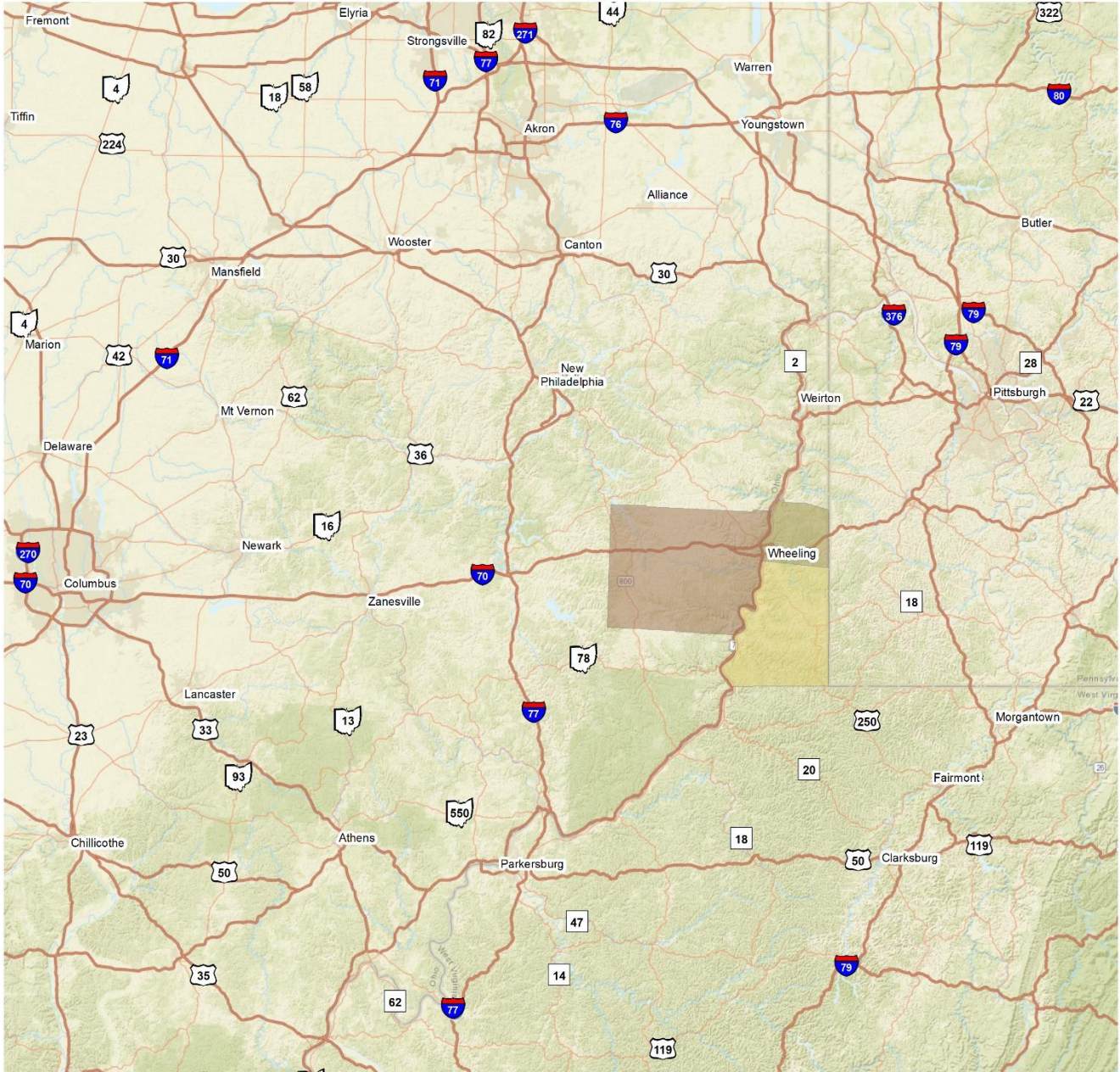


Belmont-Ohio-Marshall Transportation Study

PROSPECTUS



September 2020

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Background

The Federal Aid Highway Act of 1962 required that any urban area of more than 50,000 population establish a continuing, comprehensive and cooperative transportation planning process. In response to this act, the Belmont-Ohio-Marshall Area Transportation Study (BOMTS) Coordinating Committee was established in the year 1964. This committee directed the transportation planning process in the Wheeling-Bridgeport bi-state urbanized area. The urbanized area included Census Bureau designated urbanized area of Ohio and Marshall Counties in West Virginia and Belmont County in Ohio. The Federal Aid Act also required that the designated urbanized areas prepare a long range transportation plan addressing the long term surface transportation needs and future development. The first transportation plan for the BOMTS was commissioned in 1965 and adopted in 1975.

In 1969, the BELOMAR Interstate Planning Commission was formed through the adopted Joint Resolution and Articles of Agreements. The study area for this organization was the Census Bureau designated Wheeling-Bridgeport Standard Metropolitan Statistical Area (SMSA). The SMSA included the entire area of Ohio and Marshall Counties in West Virginia and Belmont County in Ohio. The Joint Resolution and Articles of Agreement, establishing and enabling the operation of the Commission were adopted pursuant to Section 4, Article 4C, Chapter 8 of West Virginia Code, and Section 713.30 et seq. of the Ohio Revised Code.

Through the Joint Resolution and Articles of Agreement, the BOMTS Coordinating Committee became a standing committee of the Commission. The Joint Resolution and Articles of Agreement included the West Virginia State Road Commission, the Ohio Department of Highways, Federal Highways Administration and the Bureau of Public Roads as ex-officio, non-voting members of the Commission.

The Joint Resolution and Articles of Agreement were amended in 1974 and the BEL-O-MAR Interstate Planning Commission became the BELOMAR Regional Council and Interstate Planning Commission. In 1975, the BEL-O-MAR Regional Council and Interstate Planning Commission amended the Joint Resolution and Articles of Agreement to permit the formation of an AD HOC BOMTS Policy Board. This action dissolved the BOMTS Coordinating Committee and permitted the Ohio Department of Transportation (ODOT) and the West Virginia Department of Highways (WVDOH) to become voting members of the BOMTS Policy Board.

In 1975, BELOMAR entered into separate agreements with the WVDOH and ODOT to cooperate with the continuing phase of the planning process. Additional separate agreement with the Ohio Valley Regional Transit Authority (OVRTA) and the Eastern Ohio Regional Transit Authority (EORTA) initiated a cooperative effort in transit planning within the BOMTS area.

The Federal Register, Volume 40, No. 181, dated September 17, 1975, required the development of a prospectus and Unified Work Program (UWP). The prospectus serves as a general reference document for the organization structure and the transportation planning process. The UWP includes annual work activities and budget. The first prospectus was completed in 1978 and a UWP is prepared every year covering the state fiscal year starting on July 1st.

In 1979, the ad-hoc BOMTS Policy Board was dissolved and Belomar Regional Council and Interstate Planning Commission assumed the authority and functions of the BOMTS Policy Board. Belomar Policy Board oversees the functions of the BOMTS Metropolitan Planning Organization (MPO).

Prospectus is reviewed periodically and updated as needed.

This prospectus update supersedes all previous updates.

Mission Statement

The purpose and function of the agency is defined in Article IV of the Bylaws that states “The Belomar Regional Council is established as an organization of local governments to foster a cooperative effort in planning, programming, implementation and development of local regional plans, programs and projects through the joint participation of citizens and elected officials for the general welfare of the citizens of the region”. To that end, the mission of Belomar involves cooperatively addressing local and regional issues, develop regional plans, programs and strategies with local input and implementation within the framework of local, state and federal regulations.

Planning Area

Belomar Regional Council's planning and development area consists of Belmont County in Ohio and Ohio, Marshall, and Wetzel Counties in West Virginia. Pursuant to the Federal-Aid-Highway act of 1962 and Urban Mass Transportation Act of 1964 the area consisting of Belmont, Ohio and Marshall Counties was designated as the Metropolitan Planning Organization (MPO) area for the purpose of continuing, coordinated and comprehensive (3C) transportation planning process. The MPO designations are based on the census defined contiguous urbanized area (UA) population of 50,000 or more. The 3C process is conducted within Belomar by the Metropolitan Planning Organization acting as Belmont-Ohio-Marshall Transportation Study (BOMTS). Figure I, shows the Bel-O-Mar, BOMTS and the UA area.

These three counties are located between Pittsburgh, Pennsylvania and Columbus, Ohio. The Ohio River separates Ohio and West Virginia. Together, the three counties cover 948 square miles, with Belmont County, which is the largest of the three, containing 537 square miles. Located west of the Appalachian Mountains, the terrain is hilly and makes infrastructure improvements and site development more challenging in terms of design and cost.

There are 27 local jurisdictions within the region. In addition, Belmont County has 16 townships. The central city in the area is Wheeling, which is in Ohio County. According to the 2010 Census, the region has a population of 147,950. The 2010 decennial population is shown in Table 1. The last three decades have shown a significant population decline, which can be attributed to a progressive chain of job loss, particularly in the coal and steel industry. Population loss has slowed, and economic growth is occurring with the growth in the service sector, the tapping of large natural gas reserves, and infrastructure improvements. The job outlook is promising in the recovery, processing and distribution of natural gas. A multi-billion-dollar ethane cracker plant is expected to be built soon. There are strong social and economic interactions among the counties in the study area. These interactions result in work and non-work trips. An example of work trips based on ACS data from 2006 to 2010 is shown in Table 2. The trips shown are from all three counties in the study area. Although a vast majority of work trips originating from these counties terminate within the study area, a significant number of trips terminate in the surrounding counties of Jefferson, Ohio and Washington and Allegheny, Pennsylvania.

Table 1
Population by Age

County	Total	0 - 18 yrs.	19 - 65 yrs.	65 + yrs.
Belmont	70,400	14,756	43,885	11,759
Marshall	33,107	7,314	20,316	5,477
Ohio	44,443	9,199	27,438	7,806
Total	147,950	31,269	91,639	25,042

Source: U.S. Census Bureau, 2010 Census.

FIGURE - I

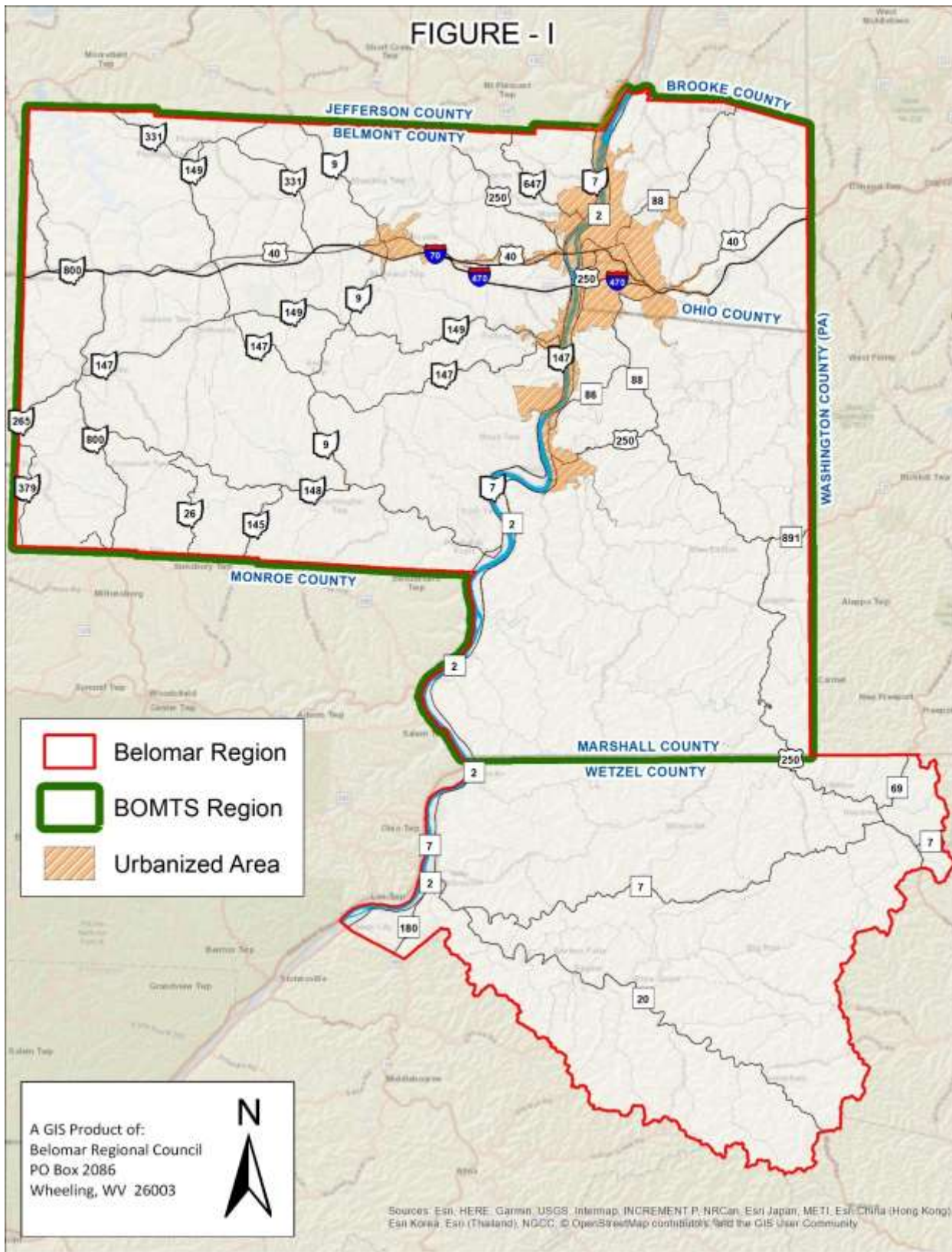


Table 2
Work Trips To and From the Region

TO	FROM		
	Belmont	Ohio	Marshall
Belmont	N/A	1,925	980
Ohio	6,220	N/A	4,080
Marshall	1,380	1,315	N/A
Washington	195	540	280
Allegheny	335	395	130
Jefferson	1,055	245	200

Source: U.S. Census Bureau, 2006 – 2010 ACS Data.

Jefferson County, Ohio is part of the Brook-Hancock Jefferson (BHJ) metropolitan area to the north of the study area, while Washington and Allegheny Counties are part of the Southwestern Pennsylvania region including the City of Pittsburgh. Within the study area, Belmont County has the most out-commuters and Ohio County has the most in-commuters. The number of Belmont County residents that commute from the county is almost double the number that commute to the county. Over 2.5 times more workers commute to Ohio County than the ones that commute from the county. The number of out-commuters from Marshall County is also almost 1.5 times the number of in-commuters.

The study area was designated as non-attainment of 1997 National Ambient Air Quality Standards (NAAQS) for Ozone and PM2.5 (fine particulate matter). The area was in violation of the 8-hour standard of 0.08 ppm for Ozone. For PM2.5, the non-attainment was for the annual standard only. The PM2.5 annual standard is exceeded if the three year average of annual mean concentration of PM2.5 is greater than 15 micrograms per cubic meter.

These designations required Transportation Conformity under the Clean Air Act. The purpose is to ensure that the federally supported highway and transit projects/activities are consistent with (conform to) the state air quality implementation plan (SIP). Bel-O-Mar has made conformity determinations for the Long Range Plans (LRP) and the Transportation Improvement Programs (TIP) prepared after the year 2004. Most recent conformity determination was made and approved for the Transportation Plan for 2040. FHWA approved conformity for this plan in September, 2016 and of the revised plan in September, 2018.

The area was redesignated as attainment of the 1997 Ozone NAAQS in June, 2007 and 1997 PM2.5 NAAQS in September, 2013. In April, 2015, the 1997 Ozone NAAQS were revoked and no further Ozone conformity determinations were required for the long range plan and TIP. However, pursuant to a United States Court of Appeals for Washington, D. C., ruling issued on February 16, 2018, Ozone conformity determination is needed again.

On August 24, 2016, (see 81 FR58010 {effective on October 24, 2016}) EPA revoked the 1997 annual PM2.5 NAAQS in areas that have been designated as attainment. Thus, as of October 24, 2016, PM2.5 conformity is no longer required. A conformity determination for the 1997 Ozone NAAQS is still needed.

The area's assets include low crime rate, excellent educational system, parks and accessibility to interstate system, railroads and the Ohio River. Approximately half of the nation's population resides within 500 miles. Over 149 million people and many major markets are within one day's driving distance.

During the decade ending in 2010, the region lost 3% of the population. However, this loss was far less than the 2010 pre-census estimates and projections from other sources. This indicates that the region had started to grow economically prior to the 2010 Census bucking precensus trends. Pre-2020 census estimates are also showing losses for the three counties.

The known natural gas reserves in Marcellus and Utica Shale formations in the region have seen tremendous drilling activity in the area. The natural gas recovery, processing and distribution activity is expected to bring an economic boom to the region. The precursors of this boom are already visible in the construction of new apartment complexes and hotels.

Regional Issues and Opportunities

The three county bi-state region is going through an unprecedented boom in deep well drilling to recover natural gas. Of interest are Marcellus Shale and Utica Shale. These geologic formations sit between 7,000 and 12,000 feet below the ground and Marcellus Shale alone contains an estimated 141 trillion cubic feet of recoverable gas.¹ The recovery of this natural resource has brought a socio-economic change to the region. The economy at present has shifted from manufacturing to service based economy. This shift in the economy has also affected the demographics of the region.

As per the 2010 Census, there are 147,950 persons in the region. The 2010 Census revealed a significant difference from the previous assumptions of population loss, as per the Census Bureau's 2008 estimates of population. Although the 2010 Census shows a loss of 3% for the region, this is far less than the pre-census estimates and population projections from other sources. This indicates that the region has turned a corner on consistent population loss of previous years. This finding can also be supported by the increased activity in Marcellus and Utica Shale drilling and known reserves of natural gas in the region. Influx of transient workers is on the rise and residential accommodations to house these workers are in short supply. While these workers interact with local businesses, they also use local infrastructure and services.

The composition of the population has also been changing. Generally, the regional population is aging. According to the 2013 American Community Survey (ACS) data², almost 18% of the population in the region is 65 years or older. In comparison, this age group makes up about 14% of the national population. The aging population presents new challenges and opportunities for the region.

Employment

The region is rich in coal and natural gas reserves. Due to the high sulfur content, the coal mining industry lost many jobs in the 1980s and 1990s. These losses continued through 2010, and since then there have been additional layoffs. With the national focus on clean energy, the local coal production has suffered. Also, jobs in the steel, glass and garment industries have gone elsewhere and show no sign of coming back. The region has been shifting from a strong manufacturing base to a service sector dominated job base. During the last decade, hundreds of service sector jobs have come to the region. Although the chemical plants along the Ohio River have held their own, the power plants have lost jobs. Burger Power Plant, in Shadyside, Ohio, closed in 2010 and an AEP coal fired Kammer power plant in Marshall County closed in 2015. While the coal mining employment is enduring losses, natural gas production is on the rise. The region is experiencing a resurgence of manufacturing industry related to shale drilling and production. The crown jewel of this activity is

¹ U.S. Energy Information Administration, Annual Energy Outlook 2012.

² Since ACS data is based on only a sample of the population, there are inherent margins of error. For this 2013 data, the region has a total margin of error of +/-447 people for each the male and female populations. Statewide, Ohio has a margin of error of +/-1,617 for the male and female population totals; and West Virginia has a margin of error of +/-1,028 for each population.

the expected opening of a billion-dollar ethane cracker plant in Belmont County. The cracker plant will bring thousands of direct and indirect jobs with it.

For a long time, the Wheeling Race Track and Casino attracted patrons from the tri-state area and beyond. However, competing casinos have recently opened in Pittsburgh and Washington, Pennsylvania, and in all major cities in Ohio. This competition has affected the revenues from the local casino.

Apart from the occasional delays due to special events, construction or roadway incidence, the local commuter does not experience the long delays that are everyday occurrences in neighboring Pittsburgh, Pennsylvania or Columbus, Ohio. The local concerns are for the increasing through truck traffic, heavy trucks servicing Marcellus Shale drilling sites, lack of capital investment for opening economic opportunities, sustaining acceptable roadway level of service, dwindling local resources for roadway and bridge maintenance, the inability of smaller jurisdictions in the region to come up with local match for federal funding, and a lack of operating revenues for sustaining transit services.

The region needs capital investment for key roadway projects to keep pace with the infrastructure needs associated with the natural gas boom and the ethane cracker plant. Through traffic and truck traffic on I-70 is also expected to grow.

The region has also seen development of bike/ped trails. The rails to trails transition has resulted in many stand-alone trails that need to be connected.

Organizational Structure

Belomar Regional Council and Interstate Planning Commission was created pursuant to Chapter 8, Article 26, Sections 1 through 5 of the West Virginia Code and Sections 167.01 and 713.30 through 713.34 of the Ohio Revised Code. The authority of the policy board is as prescribed in the West Virginia Code, Chapter 8, Articles 25 and 26, and in the Ohio Revised Code Section 167.01 et seq. and 713.30 et seq. and as may be prescribed by subsequently enacted Federal or State statutes or regulations.

Policy Board

As shown in the organizational chart on the following page, the policy board oversees all functions of the Belomar Regional Council. The membership of the board is as prescribed by Article V of the Belomar Bylaws and Article III of the Joint Resolution and Articles of Agreements. These documents are included in Appendix A. The policy board membership is included in Appendix B. The membership consists of local elected and appointed officials.

The policy board of Belomar directs and supervises the administrative and operational functions of the Belomar Regional Council by selecting an Executive Committee and appointing an Executive Director.

Executive Committee

The policy board appoints an Executive Committee from its membership. At the annual meeting, each year the policy board members confirm an Executive Committee to undertake responsibilities as outlined in the Bylaws. The membership of the Executive Committee is as per the Bylaws. This committee maintains an effective and viable Regional Council as necessary between board meetings.

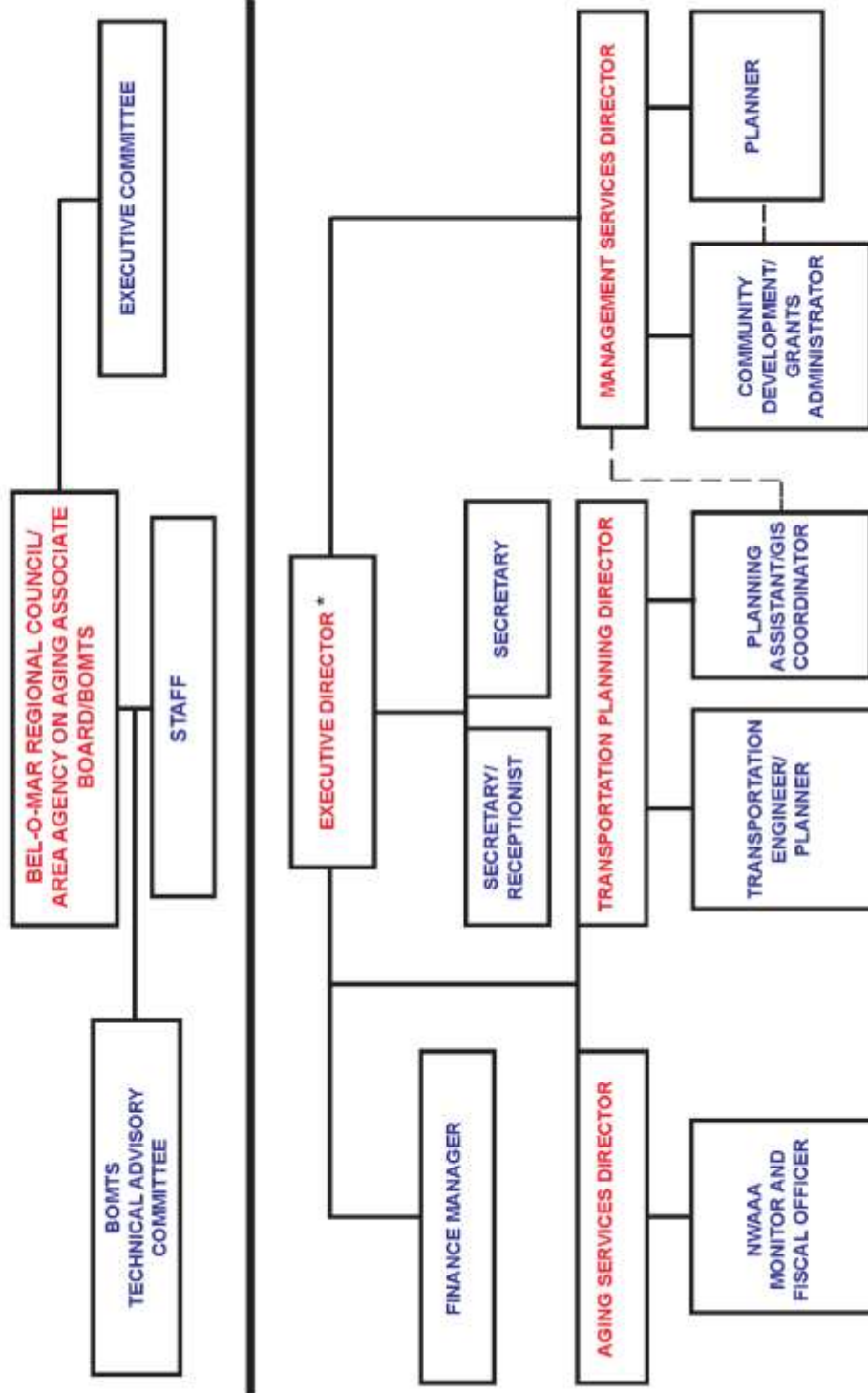
Executive Director

The Executive Director is appointed by the policy board by a majority vote. The Executive Director serves at the will of the board and hires professional and administrative staff for the day to day operations of the Regional Council.

Transportation Planning Director

The Executive Director hires a Transportation Planning Director to carry out the required Metropolitan Planning continuing comprehensive and coordinated (3C) process in accordance with federal and state regulations to address regional transportation needs of the bi-state metropolitan planning area.

ORGANIZATIONAL CHART



* Executive Director serves as the designated Title VI Coordinator.

Technical Advisory Committee

The purpose of the Technical Advisory Committee (TAC) is to assist the policy board in implementing the transportation planning process of the metropolitan planning organization (MPO). The TAC reviews and comments on the various technical aspects of the transportation planning process and documents. TAC makes recommendations to the policy board for action as needed.

The Belomar policy board appoints the permanent members of the TAC. The permanent membership are:

TAC Membership

Voting Members

Director, Regional Economic Development (RED)
Director, Belmont County Community Improvement Corporation (CIC)
Director, Community Development Wheeling
Belmont County Engineer
Wheeling City Engineer
Director, OVRTA/EORTA
Chairperson or designee of Transit Authorities.
Wheeling City Manager
Moundsville City Manager
Ohio County Administrator
Marshall County Administrator
Service Director, Martins Ferry
Service Director, Bellaire
Service Director, Shadyside
Service Director, St. Clairsville
Executive Director, Belomar
Planning and Zoning Administrator, St. Clairsville
West Virginia Department of Transportation (WVDOT) – 1 vote
Ohio Department of Transportation (ODOT) – 1 vote
2 Members at Large appointed by the Policy Board Chairperson

All voting members, except members at large, can designate an alternate. Alternates shall vote only when the voting member is not present. At Large members shall be nominated by the Chairperson of the policy board and appointed by the majority vote of members present at the TAC meeting. At Large members will have experience in Economic and Community Development or Transportation Planning or Engineering. Members will elect a chairperson from the membership during the first meeting of the calendar year. A chairperson may serve multiple consecutive terms.

Non Voting Members

Federal Highway Administration, Ohio Division (FHWA-OH) – 1 representative
Federal Highway Administration, West Virginia Division (FHWA-WV) – 1 representative
Federal Transit Administration West Virginia – Region 3 (FTA-WV) – 1 representative
Federal Transit Administration Ohio – Region 5 (FTA-OH) – 1 representative
Ohio Environmental Agency (OEPA) – 1 representative
West Virginia Department of Environmental Protection (WVDEP) – 1 representative
West Virginia Division of Public Transit (WVDPT) – 1 representative
Ohio Department of Transportation – Office of Transit – 1 representative

Permanent members from the membership select a chairperson during the first TAC meeting of a new fiscal year. The chairperson may serve consecutive terms. The transportation planning director serves as the secretary of the committee for taking minutes, preparing the agenda and meeting notice.

TAC committee members may appoint additional members to the committee based on background in development, planning or engineering. TAC meetings are held as needed and are generally a day before the policy board meeting. The quorum for the meeting consists of members present.

The following members of TAC also serve on the policy board:

The Executive Director of OVRTA/EORTA
President/Chairperson or designee of Transit Authorities
The Belmont County Engineer
A Representative of the West Virginia Department of Transportation (WVDOT)
A Representative of the Ohio Department of Transportation (ODOT)
A Representative of FHWA (NON-VOTING)
A Representative of the Federal Transit Administration (FTA) (NON-VOTING)

The Chairperson of TAC or his designee may make presentation at the policy board meetings.

The Chairperson of TAC may designate any transportation related subcommittee which is deemed necessary.

Federal and State Laws

As a designated Metropolitan Planning Organization for the Wheeling-Bridgeport, WV-OH metropolitan area, the Belomar Regional Council is required to prepare a multi-modal long range transportation plan with a horizon of at least 20 years and a transportation improvement program.

The following excerpts from Section 134 of Title 23 of the U.S. Code provide the legal basis:

“..metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas...”

“The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.”

On July 6, 2012, the Moving Ahead for Progress in the 21st Century (MAP-21) Act was signed into law. This established a performance-based program with national performance goals for Federal highway programs.

The goals were established for safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability and reduced project delay. FHWA and FTA, through rulemaking, identified performance measures. Progress towards achieving targets will be evaluated by the FHWA and FTA.

On December 4, 2015, Fixing America’s Surface Transportation Act “FAST Act” superseded the MAP-21. FAST Act continues all of the metropolitan planning requirements that were in effect under MAP-21.

FAST Act also requires annual self-certification of compliance with regulations.

Belomar, in cooperation with WVDOT and ODOT, signs a self-certification annually to certify that the transportation planning process is in conformance with regulations. The most recent self-certification is included in Appendix C. Specifically, the certification includes conformance with the Clean Air Act; Title VI of the Civil Rights Act; FAST Act; ADA; Equal Employment Opportunity Program; Older Americans Act; Discrimination against race, color, creed or national origin, sex or age, gender or individuals with disabilities.

The Ohio Department of Transportation (ODOT) also enters into a biennial agreement with Belomar for the implementation of the 3C process. The purpose of the agreement is:

“The purpose of this Agreement is to implement 23 United States Code (U.S.C.) §134 and 49 U.S.C. §5303, as may be amended, requiring designation of a Metropolitan Planning Organization (MPO) for the Wheeling, WV-OH and for such MPO to conduct a continuing, cooperative, and comprehensive urban transportation planning process, including corridor and subarea studies, for the metropolitan area, hereinafter referred to as the “PROCESS”. The PROCESS is to result in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods. It is the intent of the parties hereto that the PROCESS shall be carried forward on a continuing basis.”

The current agreement (#32975) was executed on 5/8/2019.

The following key Memorandum of Understandings (MOU) are also executed for the performance based planning process:

- By and Between WVDOT, OVRTA and Belomar
- By and Between ODOT, EORTA and Belomar

Transportation Planning Process

The transportation planning process is transparent and participatory. It relies on transparency and public participation. At the core of this process is the continuing comprehensive and coordinated 3C planning process required by the Federal Surface Transportation Acts since the Federal-Aid-Highway Act of 1962. It addresses the regulatory requirements of all subsequent Federal-Aid Surface Transportation Acts.

An annual Unified Work Program (UWP) is prepared prior to the beginning of a new state fiscal year. This UWP lists all activities and budget for the fiscal year. MPO prepares the UWP addressing federal priorities, state guidance and local needs and in compliance with the Title VI of the Civil Rights Act. The UWP is approved by the funding agencies. Within 90 days after the completion of a fiscal year, an Annual Progress Report is prepared. The report includes the programmed and accomplished work. The report is presented for the policy board approval.

Cooperatively with WVDOT and ODOT, Belomar also executes a self-certification of conducting the 3C process in accordance with federal and state regulations. The self-certification is included in the UWP. The most recent self-certification is included in Appendix C.

The required outcome of the 3C process is a Long Range Transportation Plan with a horizon of 20 years or more and a Transportation Improvement Program consisting of project programming for four years. Periodic studies, projects, plans and programs are prepared to address the regulatory requirements and/or local needs in support of, and consistent with, the Long Range Transportation Plan.

The planning process also addresses the Transportation Conformity requirements of Section 176 (c) (42 U.S.C. 7506 (c) of the Clean Air Act to ensure that federally supported highway and transit project activities are consistent with the purpose of the state air quality implementation plan (SIP).

As required by MAP-21 and FAST Act, the performance measure targets are also adopted as needed. FHWA and FTA have identified performance measures in support of seven national goals. States have developed targets to achieve each performance measure. Belomar, at present, has adopted Ohio statewide targets for Belmont County and West Virginia statewide targets for Ohio and Marshall counties. Metropolitan Planning Organizations have the option to develop regional targets or adopt statewide targets and support local projects that would achieve these targets.

The planning process is conducted at the direction of the policy board with the assistance of a Technical Advisory Committee (TAC).

The goals and objectives of the transportation planning process are reflected in the currently adopted transportation plan and are presented in the following pages.

Goals and Objectives and Performance Measures

Transportation goals and objectives have been developed for all long range plans prepared by the Belomar Regional Council. The Long Range Transportation Plan for 2040 was approved in September, 2016. The goals and objectives of this plan were prepared and adopted as per the requirements of the Moving Ahead for Progress in the 21st Century (MAP-21) Act. These are also consistent with the requirements of the Fixing America’s Surface Transportation Act (FAST Act). The goals and objectives are associated with the applicable performance measures. The long range plan considers the existing land use and future developments. The Transportation Plan is updated every five years.

Under Section 1203 of Map-21 as amended by the FAST Act, Congress established goals for seven key areas to address the problems facing the U.S. Transportation system including, Safety, Infrastructure Condition, Congestion Reduction, System Reliability, Freight Movement and Economic Vitality, Environmental Sustainability, and Reduced Project Delivery Delays. In order to meet the new statutory requirements, the FHWA, through several rulemakings, established requirements for performance management. Transportation performance management is defined by the FHWA as a strategic approach that uses system information to make investment and policy decisions to achieve national performance goals. Federal Transit Administration (FTA) through rulemaking also established transit performance measures.

Performance measures and targets have been prepared in support of seven national goals. The performance measures were identified by the FHWA/FTA and statewide targets were prepared by ODOT and WVDOT. Belomar opted to approve and support statewide targets. Performance measures were identified by three separate final rules and are referred to as PM1 (Safety), PM2 (Pavement and Bridge Condition) and PM3 (Congestion and CMAQ). Transit providers and states have also prepared state of good repair (SGR) targets. In addition, transit providers have prepared Transit Asset Management Plans. Work is currently underway for setting transit safety targets and preparing safety plans.

Mission Statement

The following are the goals and objectives of the currently adopted 2040 Transportation Plan. Each objective is associated with the appropriate performance measure.

Goals and Objectives

Goal: Promote efficiency of operation and emphasize preservation of existing transportation system.	
<p>Objectives:</p> <ul style="list-style-type: none"> Improve traffic flow by operational improvements such as optimizing signal timings, channelization, spot improvements, and Intelligent Transportation Systems. 	<p>Performance Measures:</p> <p>Establish benchmark travel times in key corridors. (PM3)</p> <p>Establish travel time targets. (PM3)</p>

Goal: Promote efficiency of operation and emphasize preservation of existing transportation system.	
<ul style="list-style-type: none"> Facilitate maintenance strategies and schedules that are based on service life and degree of deterioration e.g. State Pavement Management Systems' based repairs. 	<p>Cooperatively work with WVDOT and ODOT to establish targets for the pavement condition and bridge condition improvements. (PM2)</p> <p>Support the programming of projects that will facilitate attainment of statewide targets. (PM1, PM2, PM3)</p> <p>Identify tools and techniques that will help the local governments in developing pavement condition based maintenance programs. (PM2)</p>
<ul style="list-style-type: none"> Measure system's performance based on Level of Service (LOS) criteria and strive to maintain an acceptable LOS 	<p>Determine LOS of key corridors. (PM3)</p> <p>Identify improvements for key locations with LOS E or worse. (PM3)</p>
<ul style="list-style-type: none"> Promote transit and facilitate a planned fleet replacement schedule. 	<p>Work with the transit provider to establish targets for the state of good repair. (SGR)</p>
<ul style="list-style-type: none"> Preserve and enhance transit facilities and non-motorized facilities such as multi-use trails. 	<p>Work with the transit providers to establish acceptable benchmarks for the condition of assets and facilities. (SGR)</p> <p>Work with the local jurisdictions to establish acceptable benchmark for the condition of multi-use trails. (PM1, PM3)</p>

Goal: Increase Safety	
<p>Objectives:</p> <ul style="list-style-type: none"> Obtain and analyze accident data. 	<p>Performance Measures:</p> <p>Cooperatively work with WVDOT and ODOT to develop targets for reducing crash frequency, serious injuries and fatalities; reducing injury crashes and fatal crashes per vehicle mile traveled. (PM1)</p>
<ul style="list-style-type: none"> Participate in the identification of high hazard locations. 	<p>Work cooperatively with the states in attaining safety targets. (PM1)</p>
<ul style="list-style-type: none"> Facilitate the development of projects that enhance the safety of people and goods movement. 	<p>Support safety projects designed to achieve targets. (PM1)</p>

Goal: Increase Accessibility and Mobility Options	
<p>Objectives:</p> <ul style="list-style-type: none"> • Improve the mobility of those traditionally under served by existing transportation systems. 	<p>Performance Measures:</p> <p>Conduct accessibility study of transit for identifying access gaps. (TAM)</p>
<ul style="list-style-type: none"> • Maintain, enhance, and expand transit service. 	<p>Identify revenue shortfall, funding sources and options for transit improvement. (TAM, SGR)</p>
<ul style="list-style-type: none"> • Optimize service delivery by promoting coordination among providers. 	<p>Work with the fixed route and on-demand transit providers to plan for a coordinated approach to optimize service delivery. (TAM)</p>
<ul style="list-style-type: none"> • Study accessibility of freight terminals and major generators in the area. 	<p>Review accessibility of major generators and freight terminals. (PM3)</p>
<ul style="list-style-type: none"> • Review the functional class system. 	<p>If needed, revise functional class to address any identified access issue or freight movement issue. (PM3)</p>
<ul style="list-style-type: none"> • Maintain, enhance and expand existing multi-use trails with emphasis on developing interconnected network of trails. 	<p>Conduct accessibility study for multi-use trails for equitable access and access points. (PM1)</p>

Goal: Enhance Intermodal Connectivity and Integration	
<p>Objectives:</p> <ul style="list-style-type: none"> • Ensure viability and maintenance of existing intermodal facility. 	<p>Performance Measures:</p> <p>Support maintenance schedules and projects for the intermodal facility. (TAM, SGR)</p>
<ul style="list-style-type: none"> • Improve intermodal transfers where needed. 	<p>Review access to intermodal transfer locations for waterborne freight. (TAM, PM3)</p> <p>Identify and address issues regarding on-time freight delivery. (PM3)</p>
<ul style="list-style-type: none"> • Facilitate the development of an integrated multi-modal transportation system. 	<p>Support projects that integrate multi-modal system. (PM3, TAM)</p> <p>Support an interconnected multi-use trails system. (PM1)</p>

Goal: Support Economic Vitality by Enabling Competitiveness, Productivity and Efficiency	
<p>Objectives:</p> <ul style="list-style-type: none"> • Identify the existing and future development areas and address transportation needs. 	<p>Performance Measures:</p> <p>Support and facilitate the preparation of Land Use plans that identify current and proposed land use activity.</p>

Goal: Support Economic Vitality by Enabling Competitiveness, Productivity and Efficiency	
<ul style="list-style-type: none"> Develop transportation projects that enhance existing developments and promote future growth. 	<p>Support planned access to committed economic development sites. (PM1, PM3)</p> <p>Support access management projects.</p>
<ul style="list-style-type: none"> Optimize the use of existing networks to accommodate both existing and new developments. 	<p>Support center turn lanes where needed. Support projects designed to improve access and traffic flow. (PM3)</p>
<ul style="list-style-type: none"> Improve travel time to major activity centers. 	<p>Establish benchmark travel times in key corridors. (PM3)</p> <p>Identify improvements needed. (PM3)</p>
<ul style="list-style-type: none"> Identify projects that facilitate efficient freight movement to, from and through the area. 	<p>Identify alternatives to address freight shippers' concern. (PM3)</p>

Goal: Protect and Enhance the Environment	
<p>Objectives:</p> <ul style="list-style-type: none"> Identify ways to improve air quality. 	<p>Performance Measures:</p> <p>Cooperatively work with the state agency to ensure that the area is meeting the National Ambient Air Quality Standards (NAAQS). (PM3)</p>
<ul style="list-style-type: none"> Develop strategies to reduce emissions. 	<p>Support statewide strategies to reduce emissions. (PM3)</p> <p>Identify and improve Park and Ride locations. (PM3)</p>
<ul style="list-style-type: none"> Ensure equity in the benefits of transportation system. 	<p>Conduct project analysis to ensure equity and no disproportionate adverse effect on any one area or one population group.</p>
<ul style="list-style-type: none"> Protect recreational and other environmentally sensitive areas. 	<p>Support statewide initiatives to protect the environment from the adverse effects of shale drilling.</p> <p>Cooperate with the state agencies in timely determination of adverse effects of transportation projects and plans.</p>
<ul style="list-style-type: none"> Promote consistency of transportation improvements with state and local plans. 	<p>Ensure that regional goals are consistent with the state and local goals.</p> <p>Consider local economic and comprehensive plans in the development of long range transportation plan.</p> <p>Select projects that are consistent with the state and local plans. (PM1, PM2, PM3)</p>

Goal: Support Security	
<p>Objectives:</p> <ul style="list-style-type: none"> Participate in the need assessment for systemwide security. 	<p>Performance Measures:</p> <p>Support the state and local efforts geared towards security of transportation networks.</p>
<ul style="list-style-type: none"> Facilitate development of projects that enhance security of critical network links. 	<p>Support EMS and Homeland Security projects.</p>
<ul style="list-style-type: none"> Participate in the development of plans for mass movement of people during emergencies. 	<p>Support plans and projects designating evacuation routes.</p> <p>Support service plans along these routes; support signing of evacuation routes.</p>
<ul style="list-style-type: none"> Participate in the development of hazard mitigation plans for the area. 	<p>Work with the Emergency Management Services Departments of each County to assess needs and develop strategies for hazard mitigation.</p>
Goal: Accelerate Project Delivery	
<p>Objectives:</p> <ul style="list-style-type: none"> Ensure delays if any, at regional level, are minimized. 	<p>Performance Measures:</p> <p>Cooperatively work with the states to minimize delays. (PM3)</p>

Transportation Documents

The Surface Transportation Act's MAP-21 and FAST Act require two documents:

1. Long Range Transportation Plan
2. Transportation Improvement Program

Long Range Transportation Plan

A multi-modal transportation plan with a horizon of 20 years or more is required.

It shall include both long range and short range strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient and safe movement of people and goods. The transportation plans are required to be updated every four years in areas designated as non-attainment for the National Ambient Air Quality Standards (NAAQs). All other areas have five years for the update. The previous plan followed a four year plan update cycle and the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) jointly issued the conformity determination letter on September 9, 2016 and on September 6, 2018 for an amendment of the plan. The four year update cycle was required due to the areas designation as maintenance area for the 1997 NAAQs for ozone and non-attainment of PM2.5 NAAQs of 2013. For the PM2.5, EPA has made a determination that the PM2.5 emissions from mobile sources are insignificant. Further, the area was redesignated as attainment for ozone in June, 2007. It is also noted that based on the ambient monitoring, the area is in attainment of 2015 ozone standard of 0.070 ppm. The transportation plan is now updated every five years as required by FHWA and FTA. The adopted Transportation Plan for 2040 is available at: <https://www.belomar.org/trans/lrp/>.

The plan is prepared in compliance with the requirements of Title VI of the Civil Rights Act. In addition, as required by FHWA and FTA, an Environmental Justice analysis of all projects and programs is undertaken to ascertain that the projects and programs do not have disproportionate adverse environmental effects on minority and low income populations.

The long range plan update or revision must be consistent with the approved participation plan. The participation plan specifies the action required for providing opportunities for stakeholder participation in the process. The participation plan is available at: <https://www.belomar.org/trans/participation-plan/>.

In support of the long range plan, studies are undertaken to address specific issues. These studies also follow procedure in the public participation plan.

Transportation Improvement Program (TIP)

The Transportation Improvement Program is a comprehensive listing of specific Federal-aid transportation projects (e.g., highway and transit) scheduled for implementation in the metropolitan planning area over a four year time span. The program must also include projects deemed to be regionally significant, regardless of whether or not federal funds are utilized. The TIP can be revised as needed based on the procedures set forth by the WVDOT and ODOT, according to the provisions

of 23 CFR 450 and 49 CFR 613. Projects can be added/deleted or revised as a TIP amendment with public notice and policy board action or they can be revised as per administrative modification without the requirement of public notice and policy board action. Also, maintenance/operations type of projects can be revised in the Statewide Transportation Improvement Program (STIP) by WVDOT and ODOT. There is a strict definition of TIP amendment, modification and STIP revisions of maintenance/operations projects.

The TIP is prepared in compliance with the requirements of the Title VI of the Civil Rights Act. In addition, as required by FHWA and FTA, an Environmental Justice analysis of all projects is undertaken to ascertain that the projects do not have disproportionate adverse environmental effects on minority and low income populations.

The TIP is prepared biennially and revised as needed. It is available at <https://www.belomar.org/trans/tip/>. The TIP development and revision process provides multiple opportunities for public input. The Public Participation Plan includes the process for TIP development and revisions. The Public Participation Plan is available at: <https://www.belomar.org/trans/participation-plan/>.

In addition, the following documents are prepared annually:

- Unified Work Program (UWP)
- Annual Progress and Work Completion Report
- Annual Listing of Highway and Transit Projects

Unified Work Program (UWP)

The UWP is prepared by the Belomar Regional Council in cooperation with the West Virginia Department of Transportation, Ohio Department of Transportation, the Federal Highway Administration, the Federal Transit Administration, the Ohio Valley Regional Transportation Authority, the Eastern Ohio Regional Transit Authority and the local municipal and county governments. UWP is prepared for the state fiscal year.

The currently approved UWP describes the work to be accomplished during the period of July 1, 2020 to June 30, 2021, funding sources, amounts of funds and functional responsibility for each work task. The work tasks included in this UWP are based on the status of the cooperative, comprehensive and continuing transportation planning process and are consistent with local, state and federal transportation policies and objectives.

The emphasis areas for the FY2021 include addressing the requirements of the FAST ACT, specifically the Transportation Performance Management (TPM) including performance measures, targets and assessment. Necessary performance targets will be adopted and performance assessment process will be developed. ODOT, WVDOT, transit authorities and MPO will work cooperatively to prepare a transit safety plan and setting transit safety targets. In addition, emphasis will be on the Title VI, Environmental Justice (EJ) and the preparation of the Long Range Transportation Plan for 2045 and incorporating the findings and strategies of the Access Ohio 2045.

Impact of projects and programs on the EJ areas will be analyzed as needed. A SR7 traffic study from Shadyside to the Monroe County Line will be initiated.

The UWP also includes the cost allocation plan that shows the direct and indirect rates.

A draft UWP is first reviewed by the funding agencies, comments if any, are addressed by Belomar. The final UWP is approved by the policy board.

A summary of work tasks and activities included in the FY2021 program are included here.

**BASIC FY2021 WORK PROGRAM
ACTIVITY LISTING AND BUDGET**

6011 - SHORT RANGE PLANNING	\$ 52,000
<ul style="list-style-type: none"> A. Program Management Activities B. Title VI Compliance C. Performance Monitoring D. Develop Performance Planning Progress Reporting Process E. Multi Modal Corridor Studies Collaboration 	
6021 - TRANSPORTATION IMPROVEMENT PROGRAM (TIP)	32,000
<ul style="list-style-type: none"> A. Prepare FY2021 - FY2024 TIP Revisions B. Prepare Annual Listing of Projects C. Incorporate performance planning targets and process 	
6051 - TRANSPORTATION SYSTEMS SURVEILLANCE	50,000
<ul style="list-style-type: none"> A. Access and Use NPMRDS Travel time Data B. Obtain and clean CY2019 crash data C. Adopt annual safety targets D. Prepare a crash analysis and trend report including target assessment E. Facilitate progress towards achieving safety targets F. Collaboration with Statewide Safety Initiatives 	
6052 - GEOGRAPHIC INFORMATION SYSTEM (GIS) DEVELOPMENT	87,000
<ul style="list-style-type: none"> A. Ongoing GIS activities/data base maintenance/software maintenance B. Undertake GIS support functions C. CTPP/ACS related work D. Geocoding activities E. 2020 Census work as needed F. Necessary GIS work in support of all work tasks 	
6101 - LONG RANGE PLANNING	145,000
<ul style="list-style-type: none"> A. Travel Demand Model Traffic Assignment B. Capacity Analysis C. Projects for the 2045 Plan and Fiscal Constraint D. Alignment with Access Ohio 2045 Strategies E. Incorporate performance planning process measures, targets and progress toward achieving targets. F. Complete transit and bike/pedestrian narrative with strategies G. Prepare Draft 2045 Transportation Plan document 	
6251 - PUBLIC SERVICE/INFORMATION/SPECIAL PROJECTS (WV)	83,000
<ul style="list-style-type: none"> A. Routine assistance and service B. Participation in statewide planning activities (as appropriate) 	

C. Participation on various committees, planning activities and project development activities unique to West Virginia	
D. West Virginia Specialized Transportation Program (Sec. 5310) activities	
E. Special Studies	
6252 - PUBLIC SERVICE/INFORMATION/SPECIAL PROJECTS (OHIO)	35,811
A. Routine assistance and service	
B. Participation in statewide planning activities (as appropriate)	
C. Participation on various committees, planning activities and project development activities unique to Ohio	
D. Ohio Specialized Transportation Program activities	
E. Suballocated fund management activities	
F. Special Studies	
6253 - PUBLIC SERVICE/INFORMATION/SPECIAL PROJECTS (CARRYOVER)	22,000
A. Routine assistance and service	
B. Participation in statewide planning activities (as appropriate)	
C. Participation on various committees, planning activities and project development activities unique to Ohio	
D. Ohio Specialized Transportation Program activities	
E. Suballocated fund management activities	
F. Special Studies	
6741 - PUBLIC TRANSIT PLANNING	15,000
A. Update transit route maps (as needed)	
B. Transit website assistance/update	
C. Participate in Transit Asset Management Plan; review and update Annual State of Good Repair Data and Targets of the Transit Authority	
D. Facilitate adoption of transit safety targets for the region	
E. Participate in transit studies	
	<u>521,811</u>

Funding Summary by Source

FTA/FHWA (WV)	\$ 261,472
FTA/FHWA (OH)	155,977
ODOT	19,497
WVDOT	32,684
BELOMAR	<u>52,181</u>
	\$ 521,811

Annual Progress and Work Completion Report

The work accomplished during the fiscal year is documented in this report. The report compares what was programmed in the UWP and completed during the fiscal year. The report is prepared within 90 days after the end of the fiscal year.

The report is presented to the policy board for approval. Once approved, it is provided to the funding agencies.

Annual Listing of Highway and Transit Projects

Pursuant to federal regulations, metropolitan planning organizations (MPOs) are required to report annually on federal obligations during the preceding program year. Specifically, 23 CFR 450.334 requires:

- (a) In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation (facilities) for which funds under 23 U.S.C. or 49 U.S. C. Chapter 53 were obligated in the preceding program year.

In Belomar's case, the Transportation Improvement Program (TIP) is prepared on a July 1 - June 30 program year.

The report includes the list of federally funded projects for the preceding fiscal year based on the information provided by the West Virginia Department of Transportation (WVDOT), the Ohio Department of Transportation (ODOT), and the Ohio Valley Regional Transportation Authority/Eastern Ohio Regional Transit Authority (OVRTA/EORTA).

Projects for which federal funds were obligated during the fiscal year may not have been completed or started as of June 30th. However, federal action was taken to fund the projects.

A public notice for the availability of this project list is placed in the local newspapers and on the agency website and Facebook page. The public is invited to review and comment. The recent listing of projects is available at <https://www.belomar.org/trans/annual-listing-transportation-projects>.

Recently Completed Studies

- Wheeling Accessibility Study
- Wheeling Downtown Mobility and Streetscape Study

Program Compliance and Reporting

The long range transportation plan is prepared in accordance with the requirements of the Federal and State regulations and addresses local issues. The currently adopted Plan for 2040 was

prepared in accordance with MAP-21 and FAST Act. The plan provides multiple opportunities for public review and comments at various stages of the plan development. Funding agencies review and comment on the draft plan. For the final plan, as per interagency consultation process, Belomar prepares an Air Quality Transportation Conformity determination that is reviewed and approved by FHWA. The Transportation Improvement Program is required to be consistent with the long range plan. The TIP also includes a narrative on the status of all projects that were in the preceding TIP. The annual UWP progress report measures the work accomplished during a fiscal year. The annual listing of project provides status of projects that were funded using federal funds.

Starting with MAP-21, the requirements of the Transportation Performance Management program also measure progress towards achieving approved goals for the FHWA and FTA performance measures.

As per the requirements of the FAST ACT, Metropolitan Planning Organization Belomar is required to certify 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 and 135, 49 U.S.C. 5305 and 5304, 23 CFR Part 450 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 FAST Act (Pub. L. 114-357) 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.

Public Participation

Belomar has an approved public participation plan that provides multiple opportunities for the public input throughout the planning process. The plan is available at: <https://www.belomar.org/trans/participation-plan/>. The public can also provide comments 24/7 on a comment form available at Belomar's website at <https://www.belomar.org/contact-us/>.

The Public Participation Plan has specific requirements for the long range plan update and revisions as well for the TIP development and revisions. Each document includes the opportunities provided and the outcome of the outreach.

In addition, Belomar has developed a Title VI plan that ensures that the transportation planning process, programs and policies do not discriminate against any of the protected class and comply with all federal and state statutes and regulations.

The plan is reviewed periodically and updated as needed. The Title VI plan is available at <https://www.belomar.org/notice-of-public-rights-under-title-vi-title-vi-plan/>.

APPENDIX A

Bylaws – Belomar Regional Council and Interstate Planning Commission

Joint Resolution and Articles of Agreement

APPENDIX A

BYLAWS

**BEL-O-MAR REGIONAL COUNCIL
AND
INTERSTATE PLANNING COMMISSION**

(The following Bylaws set forth rules and procedures to implement the Joint Resolution and Articles of Agreement which establish the Regional Council.)

**ARTICLE I
NAME**

The name of this organization shall be the BEL-O-MAR Regional Council and Interstate Planning Commission hereinafter referred to as the "Regional Council or the BEL-O-MAR Regional Council or Commission." In West Virginia it may also be referred to as BEL-O-MAR Regional Council 10.

**ARTICLE II
AUTHORIZATION POWERS AND DUTIES**

The BEL-O-MAR Regional Council is authorized as an Agency of local governments and possesses all powers and duties issued by the Joint Resolution and Articles of Agreement pursuant to the Ohio Revised Code, Sections 167.01 et seq. and Section 713.30 et seq., and the following Sections of the West Virginia Code - Chapter 8, Articles 25 and 26.

**ARTICLES III
GEOGRAPHIC LOCATION**

The area for which this Regional Council has been established is described in the Joint Resolution and Articles of Agreement and includes all of Belmont County, Ohio, and all of Ohio, Marshall and Wetzel Counties, West Virginia.

**ARTICLE IV
PURPOSE AND FUNCTIONS**

The BEL-O-MAR Regional Council is established as an organization of local governments to foster a cooperative effort in planning, programming, implementation and development of local and regional plans, programs and projects through the joint participation of citizens and elected officials for the general welfare of the citizens of the region.

The specific purposes of the Council are contained in the enabling legislation cited in Article II and additionally in the Joint Resolution and Articles of Agreement signed by all member governments.

**ARTICLE V
MEMBERSHIP, OFFICERS, EXECUTIVE COMMITTEE**

Voting membership on the Regional Council shall be as prescribed in the Joint Resolution and Articles of Agreement, provided, however, that in the event a voting member shall be unable to attend any official meeting, an alternate can be designated by the member if done so to the Council's Office in writing, provided further that the alternate meets the eligibility requirements as outlined in the Joint Resolution and Articles of Agreement.

The members of the Regional Council shall elect from the membership the following:

- A. Chairman.
- B. Vice-Chairman to represent Ohio members.
Vice-Chairman to represent West Virginia members.

The Vice-Chairman representing the State of the Chairman shall assume the duties of the Chairman in his absence.

When meetings of the members representing only one State is needed, the Vice-Chairman representing the State shall preside.

- C. Secretary - designated as the Executive Director.
- D. Treasurer.
- E. An Executive Committee.

**ARTICLE VI
TECHNICAL ADVISORY COMMITTEE**

The Belmont-Ohio-Marshall Transportation Study (BOMTS) Technical Advisory Committee (TAC) will assist the policy board in implementing the transportation planning process of the Metropolitan Planning Organization (MPO). The MPO area consists of Belmont County, Ohio and Ohio and Marshall Counties in West Virginia.

The purpose of the TAC is to review and comment on the various technical aspects of the transportation planning process and documents. TAC makes recommendations for the Belomar Policy Board action, as needed.

The membership of the TAC shall consist of individuals having a background in planning, development or engineering. The Policy Board Chairperson appoints the permanent members of the Committee as per the BOMTS prospectus. The Transportation Planning Director serves as secretary of the committee.

Appointed members select a chairperson during the first meeting of the fiscal year. A chairperson may serve consecutive terms. The chairperson or his/her designee may make a presentation to the policy board. Select TAC members, identified in the BOMTS prospectus, are appointed to the Belomar Policy Board in accordance with the Joint Resolution and Articles of Agreement.

**ARTICLE VII
ASSOCIATE MEMBERSHIP**

Associate Voting Membership on the Regional Council will be afforded to representatives from the following counties: Brooke, Calhoun, Doddridge, Gilmer, Hancock, Harrison, Marion, Monongalia, Pleasants, Ritchie, Tyler, Wirt and Wood.

Associate Membership voting privileges are exclusive to Area Agency on Aging business.

**ARTICLE VIII
ANNUAL MEETING
ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE**

Upon adoption of these Bylaws and thereafter, annually, at the first regular meeting each fiscal year, the Council shall elect officers and an Executive Committee from the membership. All members are eligible and they may succeed themselves as decided by the vote of the Regional Council.

**ARTICLE VIII
(Continued)**

Nominations for officers and Executive Committee shall be made by a nominating committee consisting of four members, one from each county, as appointed by the Chairman prior to the annual meeting to represent a balance of interest of the Council membership. Nominations may also be made from the floor.

The nominee for each position receiving a majority of the vote of those in attendance at the annual meeting shall be declared elected and serve for one year or until his successor shall take office.

Vacancies in officers or the Executive Committee shall be filled at the first regular meeting after such vacancy occurs by nomination from the floor and majority vote of the members present for the unexpired term.

**ARTICLE IX
MEETINGS**

The regular meetings of the Commission shall be as set by the Chairman at a time and place to be designated by him provided no less than four (4) meetings shall be held each year.

At the discretion of the Chairman, meetings may be held by teleconference or video-conference in situations where in-person meetings pose a health or safety threat to those attending (i.e. health pandemic) or as otherwise deemed necessary. These meetings will be open to the general public, with the same quorum and voting procedures as stipulated in these bylaws.

Special meetings may be called by five (5) members upon written request to the Secretary.

A quorum shall consist of those present and voting.

All meetings during which official action is being taken, shall be open to the general public. The Regional Council may meet in executive session for discussion purposes.

Each representative shall be entitled to one (1) vote in the deliberations of the Regional Council. Except as specified in Article XVI (Amendments to Bylaws) voting on any question for passage will require an affirmative simple majority of those present and voting. Voting in meetings may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of any voting member, or at the discretion of the presiding officer.

**ARTICLE X
EXECUTIVE COMMITTEE**

At the annual meeting each year the members shall confirm an Executive Committee to undertake responsibilities as outlined in these Bylaws. After the election of officers Under Article V, the following balance shall be maintained on the Executive Committee:

- 1) One (1) representative from each county, as recommended by the County Commission member(s); (4)
- 2) One (1) representative from the largest municipality within each county, who would be the Mayor or his designee from that City's voting membership; (4)
- 3) One (1) additional representative from cities and from counties whose unincorporated population is in excess of 25,000 as designated by the County Commission member(s); (2)
- 4) One (1) representative per county from among the communities not represented in number 2 above. Representation will be rotated on an annual basis. (4)
- 5) A minority representative as selected by the minority community. (1)

In addition to the above, if not already granted membership on the Executive Committee under one of the five previous categories, the following persons shall also be members of the Executive Committee.

- 1) The Chairman, Vice-Chairman - Ohio, Vice-Chairman - West Virginia and the Treasurer of the Bel-O-Mar Regional Council.
- 2) The President of the Regional Economic Development Partnership (REDP)

A quorum shall consist of those present and voting.

**ARTICLE XI
POWERS AND DUTIES OF EXECUTIVE COMMITTEE**

Powers and duties of the Executive Committee shall be:

- A. Approve personnel policies and the appointment of full-time qualified staff as selected by the Executive Director within the annual budget.
- B. Supervise the administrative and financial duties and staff as is necessary through the Executive Director to maintain an effective and viable Regional Council as necessary between Council meetings.

**ARTICLE XI
(Continued)**

- C. Establish a system for the exercise of the review and comment procedures required by federal or state law regarding grants and loans within the region.

**ARTICLE XII
COMMITTEES**

In addition to the Executive Committee, the Regional Council may designate committees as deemed necessary from time to time for the purpose of assisting in any phase of planning and development. The membership on these committees is to be approved by the Regional Council but may be comprised of both voting members and interested citizens from within or without the region. The Chairman of each committee shall be designated by the Regional Council Chairman or if not designated, elected from the members approved by the committee.

**ARTICLE XIII
EXECUTIVE DIRECTOR**

The Executive Committee shall select and appoint a person qualified by education and experience to serve as Executive Director. The selection shall be made through the recommendation of a specially appointed sub-committee. The Director shall serve at the will and pleasure of the Regional Council.

Function and Responsibilities

The Executive Director shall be the chief executive and administrative officer of the Commission and empowered to:

- A. Appoint, subject to the approval of the Executive Committee, permanent, full-time employees. Supervise and remove all employees in accordance with the Council's Personnel Rules and appoint such part-time and temporary employees as needed, subject to budgetary limitations.
- B. Prepare and present the annual report to the Regional Council, member governments, Governors and other appropriate agencies or departments.
- C. Serve as secretary ex-officio of the Regional Council and the Executive Committee.
- D. Prepare and present for approval the annual work program and budget for the ensuing year to include staff assignments.

**ARTICLE XIII
(Continued)**

- E. Accept and execute on behalf of the Regional Council, grant offers by various Federal, State or local governmental agencies as well as private sector foundation grant programs.
- F. Maintain full and complete records of all official action taken including ownership of all equipment or property of the Regional Council.
- G. Perform such other duties as may be assigned by the Regional Council or Executive Committee.

**ARTICLE XIV
CONTRACTS**

Consulting Contracts - The Council may contract for services of consultants to perform planning, development, engineering, legal and other services of a professional, specialized or technical nature, and such consultants shall be persons appropriately qualified under state statutes dealing with the applicable profession or occupation. Each contract must have the expressed approval of the Council or Executive Committee, and by the state, when so required. Such contracts shall comply with Article 1, Section 5G-1-3 and 5G-1-4 of the West Virginia State Code.

General Purchasing - The Executive Director will be authorized to make purchases up to, but not exceeding \$5,000. These purchases shall conform with budget guidelines. Any purchase of budget items to exceed \$5,000 shall be brought before the Council or Executive Committee for authorization.

**ARTICLE XV
PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Regional Council in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, the Joint Resolution and Articles of Agreement or any special rules which the Commission may adopt.

**ARTICLE XVI
AMENDMENT OF BYLAWS**

These Bylaws may be amended by the following procedure:

The Voting Membership will be given notice of time, date and place of the purpose of amending the Bylaws. Notice is complete upon the proposed changes being made available for review, not less than 45 days prior to such meeting.

**ARTICLE XVII
ADOPTION OF PLANS**

The Commission, after development of a suggested regional plan or change or supplement thereto, shall certify a copy thereof to each member government and its planning commission for review and comment. After consideration by the member governments for a period of sixty (60) days, the Regional Council shall review all comments received and suggested changes, conduct public hearings and thereafter shall recommend to the members the adoption of the proposed plan as provided by law. Filing with county recorders. When adopted, said plan, change, supplement, or abolition shall be certified by the Chairman and filed with the county recorder of each county as provided by law.

**ARTICLE XVIII
EFFECTIVE DATE**

These Bylaws shall be effective immediately upon adoption by the Regional Council.

**ARTICLE XIX
STATEMENT OF ACTIVE PARTICIPATION IN THE
DISTRICT'S ECONOMIC DEVELOPMENT PLANNING PROCESS**

The Regional Council will serve as the focal point for district planning formulating district economic and community development plans and programs incorporating development policies and priorities. The Regional Council will serve as the primary designate for relating needs, objectives and priorities to statewide development and program planning. Member counties including Marshall, Ohio, and Wetzel Counties will be active participants in this process.

Filed in the Office of the Secretary
of State at Columbus, Ohio

JOINT RESOLUTION

on March 13, 1969 ~~A. M.~~ P. M. 3:40

AND

TED W. BROWN

ARTICLES OF AGREEMENT SECRETARY OF STATE

JOINT RESOLUTION FOR ADOPTION BY THE GOVERNING BODIES OF BELMONT COUNTY AND THE CITY OF BELLAIRE, THE VILLAGE OF BROOKSIDE IN OHIO; AND OHIO COUNTY AND THE CITY OF WHEELING; AND MARSHALL COUNTY AND THE CITIES OF MOUNDVILLE, BENWOOD, MCMECHEN AND GLENDALE IN WEST VIRGINIA ESTABLISHING THE BEL-O-MAR INTERSTATE PLANNING COMMISSION FOR THE STANDARD METROPOLITAN STATISTICAL AREA.

WHEREAS, regional or metropolitan planning is an appropriate activity for the metropolitan area; and

WHEREAS, Federal and State Legislation requires metropolitan planning review of numerous public facility and grant applications;

NOW, THEREFORE, BE IT RESOLVED THAT the governing bodies of Belmont County and the City of Bellaire, and the Village of Brookside in Ohio; and Ohio County and the City of Wheeling and Marshall County and the Cities of Moundville, Benwood, McMechen and Glendale in West Virginia create a Metropolitan Planning Commission to be known as the BEL-O-MAR Interstate Planning Commission, upon the following Articles of Agreement:

ARTICLE I
NAME, AREA TO BE COVERED
ESTABLISHMENT AND AUTHORIZATION

- Section 1. The organization shall be known as the BEL-O-MAR Interstate Planning Commission and is designated as the official Planning Commission for the standard metropolitan statistical area.
- Section 2. The area to be included within the jurisdiction of the Commission shall be the entire area of Ohio and Marshall Counties in West Virginia and the entire area of Belmont County, Ohio.
- Section 3. These Articles of Agreement, hereinafter referred to as the "Articles" shall govern the establishment, powers, duties, purposes, and membership of the BEL-O-MAR Interstate Planning Commission, hereinafter referred to as the "COMMISSION".
- Section 4. These Articles establishing and enabling the operation of the COMMISSION are adopted pursuant to Section 4, A4C, Chapter 8 of the West Virginia Code, and Section 713.30 et seq. of the Ohio Revised Code.
- Section 5. The COMMISSION shall develop bylaws and administrative procedures for the COMMISSION'S adoption within three (3) months of its first organization meeting. The COMMISSION shall appoint such committees as may be necessary to carry on the work of the COMMISSION. The Belmont-Ohio-Marshall Counties Transportation and Development Committee (BOM) or similar fully representative committee, shall be appointed by the COMMISSION as a standing Committee.

ARTICLE II
POWERS AND DUTIES
OBJECT AND PURPOSES

- Section 1. The powers and duties of the COMMISSION shall be as prescribed in the West Virginia State Code, Chapter 8, Article 4C, Section 4, and in the Ohio Revised Code, Section 713.30 et seq., and may be further described in the COMMISSION bylaws.
- Section 2. The object and purposes of the COMMISSION shall include, but are not limited to the following:

- A. To provide and maintain, as a united areawide body, plans, and programs for the orderly, convenient, and attractive development of the region in which to live and work.
- B. To expand efforts at all levels of government for the planning and implementation of transportation routes and facilities to improve both the internal and external circulation patterns and accessibility.
- C. To make available past, current and projected information and analysis of the economic, social and physical characteristics of the region.
- D. To coordinate and develop plans and policy on utilities, air pollution, water pollution and conservation.
- E. To further inter-governmental and private agency cooperation in the region, and to maintain a library of planning reports and studies, areawide mapping, and development control ordinances adopted or prepared for the three counties or any included municipalities for public use.
- F. To express metropolitan development policy in the preparation maintenance of a long range comprehensive plan, and other reports available to the public to serve the region and all its municipalities as a development policy guide. Such plans and reports shall be coordinated with officially adopted municipal plans and ordinances.
- G. To assist the metropolitan area in matters pertaining to federal and state fund applications, reviews for public projects, and to provide the public with current information on such funding programs pertaining to the area.
- H. To establish and maintain an interstate, multi-county and metropolitan-wide body which will be responsible for the formulation of area-wide goals and objectives for the economic, social and physical development of the standard metropolitan area and to prepare, develop and keep current a comprehensive development plan for the area toward the attainment of these goals.
- I. To carry on a continuing, comprehensive planning program which supplements and coordinates, but does not duplicate the programs of member units.
- J. To study such area development problems common to two or more members as is deemed appropriate, including but not limited to matters affecting health, safety, welfare, education, economic conditions and regional development.
- K. To make recommendations for review and action to member units and other public agencies which perform functions within the area.
- L. The COMMISSION shall have the power to appoint such employees and staff as it may deem necessary for its work and to contract with planners, professional consultants, and others for the services it may require.

ARTICLE III
MEMBERSHIP

Section 1. VOTING MEMBERSHIP of the Commission shall be composed of the following:

- A. Voting membership shall be based on the 1960 census of population at one (1) voting member for every 5,000 persons (rounded to the nearest multiple of 5,000) selected geographically to provide representation of all areas, municipalities, and groups of municipalities in the three counties. Each member unit shall be entitled to no less than one voting member and such additional voting members based on one (1) for every 5,000 persons. In computing the voting membership for the three counties the population base shall be that of the unincorporated portion of the county.
- B. The number of voting members shall be adjusted based on official publication of the 1970 U. S. Census and upon publication of subsequent official U. S. Census results.
- C. Membership shall be comprised of elected or appointed county and municipal officials or their officially appointed designees as determined by the three county governing bodies and by the governing bodies of the Cities of Bellaire, Wheeling, Moundsville, Benwood, McMechen, and Glendale; and Village of Brookside for their respective areas as basic contributors to the Commission's costs. Said members shall serve for a term which will expire at the same time as the term of the person or body which appointed them, except as appointments made by Boards of County Commissioners shall be for four years. Any member may be re-appointed.
- D. The Commission may, by a majority vote, admit other governmental units who adopt this Joint Resolution and Articles of Agreement.
- E. In addition to the voting members appointed on the basis of population, the following shall be ex-officio voting members of the Commission during their respective terms of office.
 1. The Chairman of the Belmont County Regional Planning Commission.
 2. The Chairman of the Wheeling-Ohio County Planning Commission.
 3. The Chairman of the Marshall County Planning Commission.
 4. The Municipal Planning Director of each municipal party hereto, if appointed and serving on a full time basis.
 5. The County Planning Director of each County party hereto, if appointed and serving on a full time basis.
 6. The Chairman of any other legally constituted Planning Commission in the three counties, provided that the unit of government which his planning commission represents is a participating member of the Commission.
 7. The Chairman of the Belmont-Ohio-Marshall Counties Transportation and Development Committee.
 8. One Member from each Board of County Commissioners.
- F. Membership appointments shall be made within thirty (30) days after official notice has been received of the final approval of the Articles of Agreement. Written notice of all said appointments shall be given to the Chairman of the Belmont-Ohio-Marshall Counties Transportation and Development Committee, who in turn shall notify each member of the date, time and place of the organizational meeting of the Commission at least five (5) days prior thereto.

- G. Members shall be selected on the basis of their ability to deal with complicated problems of spatial development and analysis. They should represent a cross section of the community interest in government, management, labor, commerce, industry, education, and professionals in the arts and sciences.
- H. Any member unit shall have the right to withdraw from the Commission at the end of any fiscal year by giving six (6) months prior written notice to the Chairman of said Commission and to the governing bodies of the participating member units.

Section 2. NON-VOTING MEMBERSHIP of the Commission shall be composed of the following:

- A. The Auditor of Belmont County, Ohio
- B. The Clerk of the Board of Commissioners of Ohio County, West Virginia.
- C. The Clerk of the County Court of Marshall County, West Virginia.
- D. The County Engineer of each County party hereto.
- E. The City Engineer of each participating Municipality, if appointed and serving on a full time basis.
- F. Members of all participating municipal, village or county planning commissions.
- G. The County Superintendent of Schools of each county.
- H. The County Health Commissioner of each county.
- I. The County Commissioners of each County who are not otherwise voting members.
- J. The Mayor and City Manager of each participating member unit.

None of the following ex officio members of the Commission shall be voting members of the Commission or of any committee, agency or instrumentality thereof.

- K. The Director of Urban Affairs of the State of Ohio or his duly appointed representative.
- L. The Commissioner of Commerce of the State of West Virginia or his duly appointed representative.
- M. U. S. Department of Transportation, Federal Highway Administration, Bureau of Public Roads.
- N. West Virginia State Road Commission.
- O. Ohio Department of Highways.
- P. State of Ohio Development Department.
- Q. United States Department of Housing and Urban Development.
- R. Federal Aviation Agency.

ARTICLE IV
ORGANIZATION - OFFICERS

- Section 1. A Commission organizational meeting shall be held within thirty (30) days of the adoption of this Joint Resolution and Articles of Agreement by the governing bodies concerned.
- Section 2. At its organizational meeting, and at its first regular meeting in each year, the Commission shall elect from among its members a Chairman, a Vice Chairman, a Secretary and a Treasurer. The Vice Chairman shall have authority to act as Chairman of the Commission during the absence or disability of the Chairman.
- Section 3. The Commission shall appoint an Executive Director, who shall serve at the pleasure of the Commission. The Executive Director, who need not be a member of the Commission, shall be the chief administrative and planning officer of the Commission. Said Executive Director and said officers in Section 2 above shall perform such duties as may be prescribed by the Commission in its rules and bylaws.

ARTICLE V
FINANCIAL OBLIGATIONS

- Section 1. The costs of maintaining the Commission shall be assumed by the participating members on the basis of population for their respective legally or administratively recognized bounded areas.
- Counties shall pay annually one thousand dollars or an amount based upon the population of the unincorporated areas of the county if such amount exceeds one thousand dollars. New Member units shall share the costs as mutually agreed upon by the Commission and the new member unit at the time it adopts this Joint Resolution and Articles of Agreement.
- Section 2. The Commission shall have a fiscal year which shall begin on the first day of July of the year and end on the 30th day of June of the ensuing year. On or before the first day of March in any fiscal year, the Commission shall prepare its budget for the following fiscal year and determine the estimated cost necessary to maintain the activities of the Commission, and shall transmit for approval a copy of said budget and invoice to the governing body of each of the parties hereto.
- Section 3. Any party hereto may contract annually with the Commission to pay such proportionate part of its expense, and any funds budgeted by any party for interstate planning may be paid over to the Commission. Within the amounts agreed upon by annual contract between the parties hereto and the Commission, and appropriated or otherwise received, the Commission may employ such engineers, planners, consultants and other employees as are necessary, and may rent or own such space and make such purchases as it deems necessary for its use.
- Section 4. The Commission is authorized to receive and expend any funds, personnel or other assistance made available by the Federal or State governments or any of their agencies or from individuals or foundations; and may enter into agreements or contracts for the purposes of receiving and using Federal or State planning grants.
- Section 5. At the end of each fiscal year the Commission shall arrange for an audit of its financial affairs, and within thirty (30) days after

the end of such fiscal year shall furnish to each party hereto an itemized account of its receipts and disbursements, together with a copy of such audit.

ARTICLE VI
TERMINATION AND DISPOSAL OF PROPERTY

Section 1. Termination of the Commission shall be by a vote of two-thirds (2/3) of the voting members, or, if the Commission should cease to exist for any other reason, then all of the assets of the Commission shall be converted into cash, all liabilities of the Commission satisfied, and any remaining assets disbursed to the participating members in the same proportion that the aggregate annual contributions were made to the Commission.

ARTICLE VII
EFFECTIVE DATE

This Joint Resolution and Articles of Agreement shall become effective when it has been adopted as a binding agreement among and between all of the parties hereto when it has been executed by said parties and when it has been reviewed by the Attorney General of Ohio and the Attorney General of West Virginia and signed by them signifying their approval of the agreement, and when it has been approved and signed by the Governors of Ohio and West Virginia.

The Board of Commissioners of Belmont County,
Ohio

Date January 13, 1969

By A. J. Sargus
Its President

The Board of Commissioners of Ohio County,
West Virginia

Date Jan. 15, 1969

By Joseph V. Duscio
Its President

County Court of Marshall County, West
Virginia

Date January 17, 1969

By Richard L. Dunsing
Its President

The City of Wheeling, A Municipal Corporation

Date 1/22/69

By James L. Rogers
Its Mayor

The City of Moundsville, A Municipal
Corporation

Date Jan. 13, 1969

By Louis P. Joseph
Its Mayor
By James J. Wolfe
Its City Manager

Date 1-14-69

The City of Benwood, A Municipal Corporation

By Anthony J. Scaffidi

Its Mayor

Date 1-20-69

The City of McMechen, A Municipal Corporation

By Francis P. Seal

Its Mayor

Date 1-27-69

The City of Glendale, A Municipal Corporation

By William C. Huntington

Its MAYOR

Date 1-16-69

Ohio, the City of Bellaire

By A. G. DiMarco

Its Mayor

Date 1-14-69

Ohio, the Village of Brookside

By Allan E. Moody

Its Mayor

REVIEWED AND APPROVED THIS 7th
DAY OF February, 1969: AS TO FORM ONLY

Paul W. Brown
Attorney General of Ohio

REVIEWED AND APPROVED THIS 4th
DAY OF February, 1969: AS TO FORM ONLY

Chauncy H. Branning
Attorney General of West Virginia

APPROVED THIS 10th DAY OF
MARCH, 1969:
James A. Rhodes
Governor of the State of Ohio

APPROVED THIS 7th DAY OF February, 1969:

Arch W. Moore Jr.
Governor of the State of
West Virginia

The City of Martins Ferry, Ohio,
A Municipal Corporation

Date April 9, 1969

By: John Laslo
Its: Mayor

REVIEWED AND APPROVED THIS

8th DAY OF April, 1969 AS TO FORM

Karl W. Sommer Jr.
Karl W. Sommer, Jr.,
City Solicitor, Martins Ferry, Ohio

The Village of Shadyside, Ohio,

by C. E. Ward

Date: July 14th 1969

Its: Mayor

The Village of Bridgeport, Ohio,

By: Nick Teffan

Date: August 19, 1969.

Its: Mayor

The Village of Bethlehem, W. Va.

Date February 26, 1970 By: John W. Caldwell
Its: MAYOR

The Village of Holloway, Ohio

Date _____ By: _____
Its: _____

The Town of Triadelphia, W. Va. (15)

Date _____ BY: _____
Its: _____

The Village of Clearview, W. Va.

Date _____ By: _____
Its: _____

The Village of Morristown, Ohio

Date _____ By: _____
Its: _____

The Village of Powhatan Point, Ohio

Date _____ By: _____
Its: _____

APPENDIX B

Policy Committee Membership

POLICY COMMITTEE MEMBERSHIP

BELMONT COUNTY	Three Commissioners
Belmont County	Director, Belmont County Community Improvement Corporation
Barnesville	Mayor
Bellaire	Mayor
Belmont	Mayor
Bethesda	Mayor
Bridgeport	Mayor
Brookside	Mayor
Flushing	Mayor
Holloway	Mayor
Martins Ferry	Mayor
Morristown	Mayor
Powhatan Point	Mayor
St. Clairsville	Mayor
Shadyside	Mayor

MARSHALL COUNTY	Two Commissioners
Benwood	Mayor
Cameron	Mayor
Glen Dale	Mayor
McMechen	Mayor
Moundsville	Mayor

OHIO COUNTY	Two Commissioners
Bethlehem	Mayor
Clearview	Mayor
Triadelphia	Mayor
Valley Grove	Mayor
West Liberty	Mayor
Wheeling	Mayor
Wheeling	City Manager
Wheeling	Vice Mayor

WETZEL COUNTY	One Commissioner
Hundred, WV	Mayor
New Martinsville	Mayor
Pine Grove	Mayor
Smithfield	Mayor

TRANSPORTATION ISSUES ONLY

OVRTA/EORTA	Executive Director
Transit Authorities	President/Chairperson or Designee
Belmont County	Engineer
West Virginia Department of Transportation (WVDOT)	Representative
Ohio Department of Transportation (ODOT)	Representative
FHWA (NON-VOTING)	Representative
Federal Transit Administration (FTA) (NON-VOTING)	Representative

EDA PURPOSES

Marshall County	Representative
Ohio County	Regional Economic Development Partnership (RED)
Wetzel County	Regional Economic Development Partnership (RED)

APPENDIX C

Metropolitan Transportation Planning Process Certification

METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

WHEREAS the USDOT Fixing America's Surface Transportation Act (FAST Act) legislation requires the Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with regulations; In accordance with 23 CFR 450.220, the West Virginia and Ohio Department 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 and 135, 49 U.S.C. 5303 and 5304, 23 CFR Part 450 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 FAST Act (Pub. L. 114-357) 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)

Alex H. Hinkle
Signature
Executive Director
Title
February 6, 2020
Date

West Virginia Department of Transportation

Jimmy Houston, P.E.
Signature
DEPUTY COMMISSIONER
Title
April 1, 2020
Date

Ohio Department of Transportation

Thomas D. Corey
Signature
District Deputy Director
Title
4-6-2020
Date