



**SMPO
JANUARY 18, 2024
ASSEMBLY HALL**

PINEHURST, NORTH CAROLINA

- I. Call to Order
 - A. Call to Order by Pat Pizzella, Mayor of Pinehurst
- II. New Business
 - A. Roll Call
 - B. Selection of a Chair and Vice Chair
 - C. Adjustments / Approval of the Agenda
- III. Approval of Minutes
 - A. Approval of SMPO Meeting Minutes
 - August 17, 2023 Formation Meeting
 - September 14, 2023 Formation Meeting
 - September 29, 2023 Formation Meeting
 - October 19, 2023 Formation Meeting Minutes
 - November 13, 2023 Formation Meeting Minutes
 - November 30, 2023 Formation Meeting Minutes
- IV. General Business
 - A. Process for Secretary's Signature for MOU
 - B. Review and Approve Governing Board By-laws
 - C. Review and Approve Lead Planning Agency Agreement
 - D. Discussion of Central Pines RPO Points Distribution
 - E. Discussion on FTA Funding Opportunities
 - F. Presentation of Public Participation Plans
 - G. Report from NCDOT District 8
- V. Next Meeting Date
 - H. February 15, 2024, 10:00 AM
- VI. Other Business
- VII. Public Comments

VIII. Motion to Adjourn

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement.



**APPROVAL OF SMPO MEETING MINUTES
ADDITIONAL AGENDA DETAILS:**

August 17, 2023 Formation Meeting
September 14, 2023 Formation Meeting
September 29, 2023 Formation Meeting
October 19, 2023 Formation Meeting Minutes
November 13, 2023 Formation Meeting Minutes
November 30, 2023 Formation Meeting Minutes

ATTACHMENTS:

Description

- 08.17.2023 Formation Meeting Minutes
- 09.14.2023 Formation Meeting Minutes
- 09.29.2023 Formation Meeting Minutes
- 10.19.2023 Formation Meeting Minutes
- 11.13.2023 Formation Meeting Minutes
- 11.30.2023 Formation Meeting Minutes



**SANDHILLS AREA METROPOLITAN PLANNING ORGANIZATION
 FORMATION MEETING
 THURSDAY, AUGUST 17TH, 2023
 ASSEMBLY HALL
 395 MAGNOLIA ROAD
 PINEHURST, NORTH CAROLINA
 2:00 PM**

<p>Village of Pinehurst: Voting Member: John Strickland * Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn</p> <p>Town of Southern Pines: Voting Member: Taylor Clement Voting Alternate: Ann Peterson Manager: Reagan Parsons</p> <p>Town of Aberdeen: Voting Member: Robert Farrell Voting Alternate: Wilma Laney Manager: Paul Sabiston</p> <p>Village of Foxfire: Voting Member: Don Boito Voting Alternate: Don Nelson Clerk: Lisa Kivett</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris Manager: Rich Lamdin</p>	<p>Town of Taylortown: Voting Member: James Thompson Voting Alternate: Clerk: Rita Maness</p> <p>Town of Pinebluff: Voting Member: Voting Alternate: Administrator: Melissa Adams</p> <p>Moore County Voting Member: Frank Quis * Voting Alternate: Jim Von Canon Manager: Wayne Vest *</p> <p>FHWA George Hoops Bill Marley</p> <p>NCDOT Division 8 Board Member: Lisa Mathis* Board Member At-Large: Pat Molamphy Scott Walston Alena Cook</p>
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* = Absent

Approximately 12 audience members in attendance.

- I. **Pinehurst – Southern Pines Urban Area Information Session #7**
 A PowerPoint presentation was given by Scott Walston of the NCDOT outlining the Metropolitan Planning Area approval process, the Metropolitan Planning Organization (MPO) structure, the Transportation Advisory Committee (TAC) structure, the Transportation Coordinating Committee (TCO) structure, and main points of the Memorandum of Understanding (MOU).

- II. **Discussion on the Draft Memorandum of Understanding (MOU) and Lead Planning Agency (LPA) Agreement**
 Mr. Jeff Sanborn, Village of Pinehurst Manager, led the review of a draft of the Memorandum of Understanding. The main areas of discussion focused on minor language revisions, weighted voting, the make up of the personnel committee, and a possible change to the Organization’s name. Mr. Sanborn stated the agreed upon revisions would be presented at the next meeting for further discussion.

Mr. Sanborn shared a draft of the Lead Planning Agency Agreement, which Mr. Sanborn stated was given to the Organization solely for their consideration at this time. Mr. Sanborn further stated additional discussion and revisions of the document would need to be made.

Mr. Scott Waltson, NCDOT, shared an example agenda with the Organization and stated the process for drafting agendas will be discussed at the next meeting.

III. Next Meeting

September 14, 2023 Formation Meeting

Respectfully Submitted,

Shannon Konstantinou
Acting Village Clerk
Village of Pinehurst

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**SANDHILLS AREA METROPOLITAN PLANNING ORGANIZATION
 FORMATION MEETING
 THURSDAY, SEPTEMBER 14TH, 2023
 ASSEMBLY HALL
 395 MAGNOLIA ROAD
 PINEHURST, NORTH CAROLINA
 2:00 PM**

<p>Village of Pinehurst: Voting Member: John Strickland* Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn*</p> <p>Town of Southern Pines: Voting Member: Taylor Clement Voting Alternate: Ann Petersen Manager: Reagan Parsons</p> <p>Town of Aberdeen: Voting Member: Robert Farrell Voting Alternate: Wilma Laney Manager: Paul Sabiston</p> <p>Village of Foxfire: Voting Member: Don Boito Voting Alternate: Don Nelson Clerk: Lisa Kivett*</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris Manager: Rich Lamdin</p>	<p>Town of Taylortown: Voting Member: James Thompson Voting Alternate: Gary Brown Clerk: Rita Maness</p> <p>Town of Pinebluff: Voting Member: Ronald McDonald Voting Alternate: Robbie Conley* Administrator: Melissa Adams</p> <p>Moore County Voting Member: Frank Quis* Voting Alternate: Jim Von Canon Manager: Wayne Vest*</p> <p>FHWA George Hoops Bill Marley*</p> <p>NCDOT Division 8 Board Member: Lisa Mathis* Board Member At-Large: Pat Molamphy* Scott Walston Alena Cook*</p>
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* = Absent

Approximately 11 audience members in attendance.

Mr. Doug Willardson, Assistant Village Manager, represented the Village of Pinehurst in the absence of Mr. Jeff Sanborn, Village Manager.

I. Memorandum of Understanding (MOU)

Mr. Willardson reviewed the agreed upon changes to the MOU from the August 17, 2023 meeting.

The discussion of whether or not to have a weighted vote adopted as part of the MOU was continued. A straw poll was taken to determine what type of voting each municipality preferred (Weighted or One for One vote):

- Town of Aberdeen – Weighted
- Village of Foxfire – One for One
- Moore County – One for One
- Town of Pinebluff – One for One

- Village of Pinehurst – Weighted
- Town of Southern Pines – Weighted
- Town of Taylortown – One for One
- Village of Whispering Pines – One for One

Ms. Taylor Clement, Town of Southern Pines Voting Member, left the meeting at 02:49 PM. Ms. Ann Petersen, Town of Southern Pines Voting Alternate, represented the Town of Southern Pines in Ms. Clement’s absence.

A straw poll was taken to determine if any of the municipalities would withdraw from participation in the MPO should a One for One vote not be adopted as part of the MOU:

- Town of Aberdeen – NO
- Village of Foxfire – NO
- Moore County – NO
- Town of Pinebluff – NO
- Village of Pinehurst – NO
- Town of Southern Pines – NO
- Town of Taylortown – NO
- Village of Whispering Pines – NO

It was agreed further research into weighted votes and alternatives would be done and those findings presented to the Organization for consideration by the governing boards of each municipality prior to the next meeting.

It was determined the name of the MPO would be changed to Sandhills Metropolitan Planning Organization (SMPO).

II. Draft Governing Board Agenda

Discussion of the Governing Board Agenda was tabled for a future meeting.

III. Next Meeting

Friday, September 29th, 2023 at 10:00 AM

Respectfully Submitted,

Shannon Konstantinou
 Village Clerk
 Village of Pinehurst

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**SANDHILLS METROPOLITAN PLANNING ORGANIZATION
 FORMATION MEETING
 FRIDAY, SEPTEMBER 29TH, 2023
 ASSEMBLY HALL
 395 MAGNOLIA ROAD
 PINEHURST, NORTH CAROLINA
 10:00 AM**

<p>Village of Pinehurst: Voting Member: John Strickland Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn</p> <p>Town of Southern Pines: Voting Member: Taylor Clement Voting Alternate: Ann Petersen Manager: Reagan Parsons*</p> <p>Town of Aberdeen: Voting Member: Robert Farrell Voting Alternate: Wilma Laney Manager: Paul Sabiston</p> <p>Village of Foxfire: Voting Member: Don Boito Voting Alternate: Don Nelson* Clerk: Lisa Kivett</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris Manager: Rich Lamdin*</p>	<p>Town of Taylortown: Voting Member: James Thompson Voting Alternate: Gary Brown Clerk: Rita Maness</p> <p>Town of Pinebluff: Voting Member: Ronald McDonald Voting Alternate: Robbie Conley* Administrator: Melissa Adams</p> <p>Moore County Voting Member: Frank Quis Voting Alternate: Jim Von Canon Manager: Wayne Vest</p> <p>FHWA George Hoops Bill Marley</p> <p>NCDOT Division 8 Board Member: Lisa Mathis* Board Member At-Large: Pat Molamphy* Scott Walston Alena Cook*</p>
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* = Absent

Approximately 10 audience members in attendance.

Invocation by Mr. Wayne Vest, Moore County Manager, and Pledge of Allegiance led by Mr. Doug Willardson, Assistant Village of Pinehurst Manager.

I. Memorandum of Understanding (MOU)

The Organization continued the discussion of a weighted vote being added to the voting rules.

The Organization debated redrawing the MPO boundary lines to include the Moore County seat of the Town of Carthage or the entirety of Moore County.

Mr. Frank Quis, Moore County Voting Member, moved to redraw the MPO boundary lines to include the entirety of Moore County. No second was given. Motion failed.

Mr. Robert Farrell, Town of Aberdeen Voting Member, moved to approve including Voting Rule Option 1 (Weighted Vote) in the MOU. Seconded by Mr. John Strickland, Village of Pinehurst Voting Member. Roll call vote:

Village of Pinehurst – Aye
Town of Southern Pines – Aye
Town of Aberdeen – Aye
Village of Whispering Pines – Nay
Town of Pinebluff – Nay
Village of Foxfire – Nay
Town of Taylortown – Nay
Moore County – Nay

The Organization discussed a tie vote automatically going to the “Aye” votes.

The Organization clarified the boundaries of the MPO as drawn comply with the requirements of the State and verified other municipalities would be able to be voted into the Organization in the future.

The Organization discussed its role in transportation project approval by NCDOT and FHWA.

The Organization clarified the agreed upon draft MOU would need to go before each Member’s Council / Board for approval, and a Resolution must be voted on and approved by each Member’s Council / Board.

Mr. Willardson stated a clean copy of the draft MOU and Resolution would be sent out to each Member to use to present to their Councils / Boards along with an estimated budget for each Member’s annual dues / fees.

II. Draft Governing Board Agenda

The Organization reviewed a draft agenda template for the first governing board meeting.

III. Next Meeting

October 19th, 2023 at 02:00 PM.

The need to consider the fact that TARPO (Triangle Area Rural Planning Organization) would not renew the membership of each of the SMPO member municipalities was discussed and the importance of determining how points for projects would be allocated was reiterated.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk
Village of Pinehurst

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**SANDHILLS METROPOLITAN PLANNING ORGANIZATION (SMPO)
FORMATION MEETING
THURSDAY, OCTOBER 19TH, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
02:00 PM**

<p>Village of Pinehurst: Voting Member: John Strickland Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn</p> <p>Town of Southern Pines: Voting Member: Taylor Clement Voting Alternate: Ann Petersen Manager: Reagan Parsons</p> <p>Town of Aberdeen: Voting Member: Robert Farrell * Voting Alternate: Wilma Laney Manager: Paul Sabiston</p> <p>Village of Foxfire: Voting Member: Don Boito Voting Alternate: Don Nelson Clerk: Lisa Kivett</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris Manager: Rich Lambdin *</p>	<p>Town of Taylortown: Voting Member: James Thompson * Voting Alternate: Gary Brown Clerk: Rita Maness</p> <p>Town of Pinebluff: Voting Member: Ronald McDonald Voting Alternate: Robbie Conley * Administrator: Melissa Adams</p> <p>Moore County Voting Member: Frank Quis Voting Alternate: Jim Von Canon * Manager: Wayne Vest</p> <p>FHWA George Hoops Bill Marley</p> <p>NCDOT Division 8 Board Member: Lisa Mathis Board Member At-Large: Pat Molamphy * Scott Walston Alena Cook</p>
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* = Absent

Approximately 10 audience members in attendance.

Mr. John Strickland, Voting Member for the Village of Pinehurst, called the meeting to order at 02:02 PM.

I. Memorandum of Understanding (MOU)

Mr. Jeff Sanborn, Village of Pinehurst Manager, provided an update on approval of the MOU by member jurisdictions (all but two of the member jurisdiction governing boards held meetings and approved adoption of the MOU).

The structure of the formation committee board was discussed. It was determined a Chair and a Vice Chair should be elected, and the Village of Pinehurst would be responsible for noticing SMPO meetings.

The Organization debated sending the submittal to the Secretary of Transportation before the final two member jurisdictions hold meetings.

The Organization discussed who would oversee transportation planning for the member jurisdictions should the SMPO not be officially formed before the deadline (portions would default to Fayetteville's MPO and portions would default to NCDOT), the need for at least 75% of the member jurisdictions to approve adoption of the MOU for approval from the Secretary of Transportation to be given but it being preferable to reach 100% of the member jurisdictions, and whether a Chair and a Vice Chair should be elected prior to the upcoming municipal elections.

Ms. Taylor Clement, Voting Member for the Town of Southern Pines, moved the MOU be submitted as is to the Secretary of Transportation on Friday, November 03, 2023. Seconded by Mr. Don Boito, Voting Member for the Village of Foxfire. Passed by a vote of 7-1 with Mr. Frank Quis, Voting Member for Moore County, dissenting.

The Organization discussed electing a temporary Chair and a temporary Vice Chair to lead meetings until the first official governing board meeting of the SMPO is held.

Mr. Frank Quis, Voting Member for Moore County, moved that Mr. Don Boito, Voting Member for the Village of Foxfire, be elected temporary Chairperson. Seconded by Mr. Glenn Bernhard, Voting Member for the Village of Whispering Pines. Passed by a vote of 7-0.

Mr. Glenn Bernhard, Voting Member for the Village of Whispering Pines, moved that Mr. John Strickland, Voting Member for the Village of Pinehurst, be elected temporary Vice Chairperson. Seconded by Ms. Wilma Laney, Voting Member for the Town of Aberdeen. Passed by a vote of 7-0.

II. Draft Governing Board Agenda

The Organization reviewed a draft agenda for the next meeting and the timeline for presenting a draft Lead Planning Organization (LPO) agreement to the governing boards of each member jurisdiction.

III. Next Meeting

Monday, November 13th, 2023 at 10:00 AM.

Ms. Taylor Clement, Voting Member for the Town of Southern Pines, moved to adjourn the meeting at 03:15 PM. Seconded by Mr. Glenn Bernhard, Voting Member for the Village of Whispering Pines. Passed by a vote of 8-0.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk
Village of Pinehurst

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**SANDHILLS METROPOLITAN PLANNING ORGANIZATION (SMPO)
FORMATION MEETING
MONDAY, NOVEMBER 13TH, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
10:00 AM**

<p>Village of Pinehurst: Voting Member: John Strickland, Temporary Vice Chair Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn</p> <p>Town of Southern Pines: Voting Member: Taylor Clement * Voting Alternate: Ann Petersen Manager: Reagan Parsons</p> <p>Town of Aberdeen: Voting Member: Robert Farrell Voting Alternate: Wilma Laney Manager: Paul Sabiston *</p> <p>Village of Foxfire: Voting Member: Don Boito, Temporary Chair Voting Alternate: Don Nelson Clerk: Lisa Kivett</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris * Manager: Rich Lambdin</p>	<p>Town of Taylortown: Voting Member: James Thompson Voting Alternate: Gary Brown Clerk: Rita Maness *</p> <p>Town of Pinebluff: Voting Member: Ronald McDonald Voting Alternate: Robbie Conley * Administrator: Melissa Adams</p> <p>Moore County Voting Member: Frank Quis Voting Alternate: Jim Von Canon * Manager: Wayne Vest *</p> <p>FHWA George Hoops * Bill Marley</p> <p>NCDOT Division 8 Board Member: Lisa Mathis * Board Member At-Large: Pat Molamphy Scott Walston Alena Cook *</p>
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* = Absent

Approximately 8 audience members in attendance.

- I. Opening Remarks, Mr. Don Boito, Village of Foxfire Voting Member and SMPO Temporary Chair.**
Mr. Don Boito, Village of Foxfire Voting Member and SMPO Temporary Chair, called the meeting to order at 10:00 AM.
- II. Roll Call**
Voting Members or Voting Alternates were present for all member municipalities.
- III. Adjustments / Approval of the Agenda**
The Organization agreed to follow the agenda as written with the exception of moving item IV Status Update from NCDOT on the Submission to the Secretary of Transportation to item V to allow Mr. Scott Walston, NCDOT, time to arrive to the meeting.
- IV. Governing Board By-Laws**

The Organization discussed live-streaming and recording the meetings, the length of the Public Comment Period, adding language to Article 3 – E requiring submission of a Statement of Conflict of Interest to be a sitting member of the Organization, adjusting Article 4 – A to read “The Governing Board will meet at least quarterly” instead of 11 times per year, and what constitutes a Quorum of the Organization.

Mr. Doug Willardson, Village of Pinehurst Assistant Manager, stated the suggested revisions to the Governing Board By-Laws would be made and presented at the next meeting for approval.

V. Status Update from NCDOT on the Submission to the Secretary of Transportation.

Mr. Scott Walston, NCDOT, stated the department was waiting to receive all decisions on the MOU before submitting the MPO documentation to the Secretary of Transportation so a complete package could be considered by the Secretary. Mr. Walston further stated the only member left to provide a decision is Moore County.

Mr. Frank Quis, Moore County Voting Member, stated he was not able to provide a definitive answer on whether the County will approve the MOU and the biggest area of dissent or concern on the County’s part is the fact that the entirety of Moore County is not being included in the MPO.

The Organization discussed the ramifications should the deadline to establish the MPO not be met and options to move forward without decisions by all members of the Organization.

The Organization agreed to move forward with submission of the MPO to the Secretary of Transportation whether Moore County has reached a decision or not and whether Moore County agrees or disagrees with the MOU by Monday, November 27th, 2023.

VI. Lead Planning Agency

The Organization discussed funding distribution and allocation for the SMPO, when dues are required to be paid by member municipalities, the estimated cost of dues for each municipality (to be presented at the first official Governing Board meeting), and what constitutes direct or indirect costs to the SMPO.

Mr. Willardson stated the intention behind presenting the Lead Planning Agency Agreement to the Organization for review is to ensure the responsibilities of the Village of Pinehurst as Lead Planning Agency are clearly outlined and covered in the agreement.

VII. Discuss Draft Job Description for SMPO Personnel

VIII. Future Documents / Plans to Prepare

Mr. Walston will provide draft documents for the Organization to review prior to the next meeting.

IX. Other Business

The Organization discussed the documents as presented at the meeting today being up for approval at the first meeting of the Organization’s official Governing Board, and the need for each member municipality to establish the appointment of their Voting Member and Voting Alternate at the first meeting of their municipality’s governing board held in December after newly elected officials are sworn in.

X. Next Meeting

Thursday, November 30th, 2023 at 10:00 AM.

XI. Public Comments

None.

XII. Adjourn

Mr. Boito adjourned the Formation Meeting at 11.40 AM.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk
Village of Pinehurst

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**SANDHILLS METROPOLITAN PLANNING ORGANIZATION (SMPO)
FORMATION MEETING
THURSDAY, NOVEMBER 30TH, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
10:00 AM**

<p>Village of Pinehurst: Voting Member: John Strickland, Temporary Vice Chair Voting Alternate: Patrick Pizzella Manager: Jeff Sanborn</p> <p>Town of Southern Pines: Voting Member: Taylor Clement Voting Alternate: Ann Petersen Manager: Reagan Parsons</p> <p>Town of Aberdeen: Voting Member: Robert Farrell Voting Alternate: Wilma Laney Manager: Paul Sabiston</p> <p>Village of Foxfire: Voting Member: Don Boito, Temporary Chair Voting Alternate: Don Nelson * Clerk: Lisa Kivett</p> <p>Village of Whispering Pines: Voting Member: Glenn Bernhard Voting Alternate: Pamela Harris Manager: Rich Lambdin</p>	<p>Town of Taylortown: Voting Member: James Thompson Voting Alternate: Gary Brown Clerk: Rita Maness *</p> <p>Town of Pinebluff: Voting Member: Ronald McDonald * Voting Alternate: Robbie Conley * Administrator: Melissa Adams *</p> <p>Moore County Voting Member: Frank Quis Voting Alternate: Jim Von Canon * Manager: Wayne Vest *</p> <p>FHWA George Hoops * Bill Marley *</p> <p>NCDOT Division 8 Board Member: Lisa Mathis Board Member At-Large: Pat Molamphy * Scott Walston Alena Cook *</p>
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* = Absent

Approximately 8 audience members in attendance.

- I. Opening Remarks, Mr. Don Boito, Village of Foxfire Voting Member and SMPO Temporary Chair.**
Mr. Don Boito, Village of Foxfire Voting Member and SMPO Temporary Chair, called the meeting to order at 10:03 AM.
- II. Roll Call**
Voting Members or Voting Alternates were present for all member municipalities except the Town of Pinebluff.
- III. Adjustments / Approval of the Agenda**
The agenda as presented was approved.
- IV. Status Update from NCDOT on the Submission to the Secretary of Transportation**
Mr. Scott Walston, NCDOT, stated all member municipality Memorandum of Understanding decisions had been received and the submission to the Secretary of Transportation would be done. Mr. Walston did not have a timeline for when the Secretary would make a decision on

the MPO formation but stated all member municipalities would be kept up to date on the progress of the submission as NCDOT is made aware.

V. Future Documents / Plans to Prepare

Mr. Walston detailed how SMPO expenses and funding for the remainder of Fiscal Year 2023 (ending June 30, 2024) will be handled by NCDOT. The Lead Planning Agency will take over handling SMPO expenses and funding the beginning of Fiscal Year 2024 (July 01, 2024).

Mr. Walston reviewed a document titled Future Documents / Plans to Prepare for SMPO and a prospectus, which highlighted milestones the Organization must meet in order to comply with the requirements of formation and funding.

VI. Other Business

The Organization discussed how recent local elections would impact the membership of the Organization and how best to transition, potential training opportunities for Organization members, and establishing a set meeting schedule.

VII. Next Meeting

Thursday, January 18, 2024, at 10:00 AM

The Organization agreed to initially set a meeting schedule as the third Thursday of every month at 10:00 AM. The set meeting schedule would be revisited / adjusted as the Governing Board sees fit once the MPO is fully established.

VIII. Public Comments

None.

IX. Adjourn

Mr. Boito adjourned the Formation Meeting at 10:32 AM.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk
Village of Pinehurst

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**PROCESS FOR SECRETARY'S SIGNATURE FOR MOU
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

1/12/2024

MEMO DETAILS:

The signature page formatting was not consistent for each municipality. SMPO will need to format and execute a signature page to deliver to the Secretary of Transportation.



**REVIEW AND APPROVE GOVERNING BOARD BY-LAWS
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

1/12/2024

MEMO DETAILS:

The Governing Board will need to approve a set of by-laws for administering their meetings and business. The attached by-laws are the draft that was reviewed at the last formation committee meeting.

ATTACHMENTS:

Description

- Draft Governing Board By-laws

Sandhills Metropolitan
Planning Organization
(SMPO)

Governing Board

By-laws

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ARTICLE 1 – AUTHORITY OF RULES

A. AUTHORITY

The Sandhills Metropolitan Planning Organization (SMPO) Governing Board shall establish its own by-laws in a clear and concise manner to assist them in the general conduct of MPO business. These rules shall prevail to govern the order and conduct of business of the MPO Governing Board until modified or new by-laws are adopted.

During Governing Board discussions, deliberations, and proceedings, the Chairman has been designated with the primary responsibility to ensure that the Governing Board and members of the public adhere to the Governing Board's procedures.

B. APPLICATION

These by-laws shall be applicable to all members of the MPO Governing Board.

C. DEFINITIONS

MPO Member Jurisdictions: the Village of Pinehurst, Town of Southern Pines, Town of Aberdeen, Village of Whispering Pines, Town of Pinebluff, Village of Foxfire, Town of Taylortown, Moore County and the North Carolina Department of Transportation (NCDOT).

Alternates: Each of the Governing Board members may appoint one (1) alternate provided each alternate also meets the same qualifications of membership. The alternate member will serve as a full voting member during any meeting where the original representative is not in attendance.

ARTICLE 2 – MPO GOVERNING BOARD ORGANIZATION AND DUTIES

A. GOVERNING BODY

The Governing Board shall constitute the governing body of the Sandhills Metropolitan Planning Organization. The Governing Board shall consist as specified in the adopted Memorandum of Understanding. The eligible voting member list consists of representatives from each of the represented agencies.

B. DUTIES OF THE GOVERNING BODY

MPO Governing Board Members and MPO staff shall conduct the business of the Sandhills Metropolitan Planning Organization. The MPO Governing Board's duties and responsibilities are outlined in the adopted Memorandum of Understanding.

C. ELECTION OF OFFICERS

The Chairman and Vice-Chairman shall be elected annually by the voting members of the Governing Board with their term to begin at that meeting. In the event that there is no Chairman or Vice-Chairman, the Transportation Coordinating Committee Chairman shall preside until a Chairman and Vice-Chairman are elected. The Chairman and Vice-Chairman shall serve for a period of one (1) year from their election and may be re-elected.

D. DUTIES OF THE CHAIRMAN

The Chairman shall:

- preside at all meetings of the Governing Board;
- be responsible for the control, debate and order of speakers;
- decide all questions of order;
- confine debate to matters under discussion; and
- put to a vote all matters properly presented before the MPO Governing Board and to declare the result thereof for the record.

E. DUTIES OF THE VICE-CHAIRMAN

The Vice-Chairman shall:

- in the absence of the Chairman, the Vice-Chairman shall assume the duties of the Chairman.

ARTICLE 3 – CONDUCT OF THE MPO GOVERNING BOARD

A. GENERAL CONDUCT

These rules are intended to facilitate professional and orderly conduct of meetings of the Sandhills Metropolitan Planning Organization. The purpose of these rules is to provide an orderly and consistent procedure for conducting such meetings.

All members shall have and share equal rights, privileges, responsibilities, and obligations which include but are not limited to the following:

- All Members present and participating in meetings have the right to make, second, or amend motions.
- All Members present and participating have the right to participate in debate when discussion is permitted.
- All Members have the right to make inquiries and seek clarification or further information on pending matters.
- All Members present for meetings have the right to vote on matters, unless prevented by a conflict of interest. If a conflict exists, the member(s) shall request to be recused from discussion and voting on the item. A “Conflict-of-Interest” statement will be attached to the minutes of the meeting in which any discussion or vote was taken relating to that conflict disclosure.

B. CONDUCT WITH MEMBERS

Members shall conduct themselves in a proper, professional and ethical manner during all proceedings, and shall respect each other and follow the rules. Each Member shall demonstrate courtesy and respect for the Governing Board and its members, public, and staff.

MPO Governing Board Members shall:

- treat each other and everyone with courtesy and respect.
- refrain from inappropriate behavior and derogatory comments.
- respect and value each other’s time.
- limit their comments to the subject matter, item, or motion being currently considered.
- maintain order and decorum during the meeting.
- abide by these by-laws in conducting the business of the Sandhills Metropolitan Planning Organization.
- exercise control as to the length of their comments.
- respect each other’s opportunity to speak and, if necessary, agree to disagree.

C. CONDUCT WITH THE MEDIA

MPO Governing Board Members shall:

- not discuss with the media confidential or privileged information pertaining to closed sessions, attorney-client privileged or attorney work product communications including without limitation personnel or litigation.

Press releases will be prepared by the Director or MPO staff for release to the media.

D. LITIGATION AND CONFIDENTIAL INFORMATION

MPO Members shall:

- keep all materials and verbal communication provided to them on matters that are privileged or confidential pursuant to federal or state law in complete confidence to ensure that the MPO's position is not compromised.

E. ETHICAL CONDUCT

MPO Governing Board Members shall:

- conduct themselves in an ethical manner.
- conduct themselves in a manner compliant with Chapter 138A of the North Carolina General Statutes.
- abide by certain ethics standards and certain provisions of the Ethics Act (S.B. 411; S.L. 2013-156) and the Ethics Act through G.S. 136-200.2.

**ARTICLE 4 – MPO Governing Board MEETINGS AND
SCHEDULES**

A. REGULAR MEETINGS

Regular meeting schedules will be adopted by the Governing Board at the last meeting of the calendar year for the upcoming year. The Governing Board will meet at least quarterly. . Notice of these meetings will be posted in accordance with the State Open Meetings Laws. These meetings and agendas will also be published on the SMPO’s website. These meetings are open to members of the public.

B. SPECIAL MEETINGS

The Chairman or a majority of Governing Board members may at any time call a special meeting of the Governing Board by signing a notice stating the time and place of the meeting and the subjects to be discussed. The person or persons calling the meeting shall cause the notice to be posted on the SMPO website and in all other locations required by North Carolina open meeting statues at least forty-eight hours before the meeting. Only items of business specified in the notice may be transacted at a special meeting.

C. CLOSED SESSIONS

Closed sessions shall be conducted as needed. In accordance with the North Carolina General Statutes, closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in N.C.G.S. § 143-318.11. A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall state one or more of the authorized purpose(s) for the closed session.

Closed sessions are closed to the public. The closed session is to protect important privacy interests and matters that are confidential or privileged under federal or state law, and subjects discussed during these sessions should not be shared outside of the session. No action will be taken during closed session except as permitted by state law.

D. PUBLIC HEARINGS

The MPO Governing Board shall hold public hearings when required by federal, state or local law. Public hearings are officially opened and closed by the Chairman.

E. ATTENDANCE

Each member shall be expected to attend each scheduled meeting. Any Governing Board member asking to be excused shall notify the MPO's Director at least 24 hours in advance of the meeting. The Director will at the beginning of the Governing Board meeting, list the members requesting to be excused which will require a vote from the Governing Board to approve these excused absences. If an Alternate attends a meeting in place of the member, this will not count as an absence for the member. For members not attending three (3) consecutive Governing Board meetings, the Chairman will send to the chief elected officer of

the jurisdiction of the member in question, a letter indicating the number of absences and requesting re-affirmation or re-designation of the jurisdiction's representative. Upon three (3) consecutive absences of a member, the position will be considered vacant for purposes of determining a quorum.

F. MEETING RULES

Meetings shall be conducted under parliamentary procedures consistent with Robert's Rules of Order, most recent edition.

ARTICLE 5 - MEETING GUIDELINES & PROCEDURES

A. GENERAL

Authority: The MPO Governing Board acts as a body and policy is established by majority vote.

Majority Vote: Any member may call for a vote on any issue provided that it is seconded and within the purposes set forth in the "Memorandum of Understanding." Each voting member of the Governing Board shall have one vote unless a weighted vote is called for and seconded. In such circumstance, a majority vote of those present and voting shall constitute approval of any motion, provided a quorum exists and provided that a super-majority vote is not required for approval of the item under applicable law, the SMPO Governing Board Bylaws or these Rules of Procedure. Abstentions are not included in the tally of the votes. A Governing Board member's absence, whether excused or unexcused, shall not be counted as an affirmative or negative vote on any matter. Proxy and absentee voting are not permitted.

Meetings to be Public: All meetings of the MPO Governing Board are required to be open to the public with the exception of closed sessions.

Quorum: A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations or voting upon or otherwise transacting public business. A quorum consists of 51% of the filled positions of members of the Governing Board as listed in the Memorandum of Understanding.

Action: Action by the Governing Board shall be taken by means of resolution or oral motion duly made and passed by the majority as a body.

Public actions of the Governing Board shall be recorded in the minutes of all regular meetings, special meetings and/or emergency meetings. Resolutions shall also be recorded and filed in the MPO offices.

The Governing Board may take action on items calendared on the agenda. Items may be added or removed prior to adoption of the agenda.

Sequence of Agenda Items: The MPO Governing Board adopts the agenda at the beginning of the meeting. The sequencing of the items can be modified by the Governing Board upon adoption of the agenda.

Minutes: It is the responsibility of the MPO's Director or designated recording secretary to keep and enter a written account of all Governing Board meetings. The official record of the meeting is the minutes after they have been approved by the MPO Governing Board.

Right of Floor: The Chair will recognize members of the Governing Board, staff or audience desiring to speak, and confine remarks to the subject under consideration.

MPO Director: The Director or designee attends all MPO Governing Board meetings and work sessions and may make recommendations to the Governing Board.

B. AGENDA

The agenda is the list of items suggested for consideration and/or discussion at a Governing Board meeting. Agenda items originate from the Director, from a member of the Governing Board, as a recommendation from the TCC or as a carry-over from previous meetings.

C. REQUIREMENTS FOR AGENDA ITEM SUBMISSION

Technical Coordinating Committee (TCC) and Governing Board members may submit an item(s) to their respective TCC and Governing Board agendas. In order for a Governing Board member to submit an item(s) to the TCC or Governing Board, the item(s) must be submitted no later than 5:00 p.m. the first business day of the calendar month in which the item is requested to be considered. The item must include all pertinent background materials (resolution, maps, etc.). The Governing Board shall approve the agenda at the beginning of each meeting. At this time, the Governing Board shall have the ability to add or remove any item on the agenda by a vote of at least two-thirds (2/3) of the Governing Board's voting members present. An item added to the agenda will be placed for consideration at the end of the meeting.

D. AGENDA PACKET PREPARATION

The Director shall review and approve all items for the MPO Governing Board agendas. The agenda packets shall be provided to the Governing Board at least 5 days prior to the Governing Board meetings for Regular Meetings. For Special Meetings, the packets shall be provided no less than 48 hours prior to the meeting.

The agenda and agenda packets are compiled and distributed through the Director. Packet information will be electronically transferred via e-mail or the agenda management software system to the MPO Governing Board members. In addition, the agenda packets are also placed on the Sandhills Metropolitan Planning Organization's website.

E. AGENDA FORMAT

The Governing Board may reorder the agenda items to expedite the agenda or for the benefit of the public.

Call to Order: The Chairman shall open each regular meeting at the appointed hour.

Conflict of Interest Statement: In accordance with Senate Bill 411, it is the duty of all MPO Governing Board members, alternates, or designees to disclose in writing any conflicts of interest. The statement will be attached to the minutes of the meeting in which any discussion or vote was taken relating to that conflict disclosure.

Approval of Governing Board Member Excused Absences: Each member shall be expected to attend each scheduled meeting. Any Governing Board member asking to be excused shall require a call to the MPO's Director at least 24 hours in advance of the meeting. The Director will at the beginning of the Governing Board meeting, list the members requesting to be

excused which will require a vote from the Governing Board to approve these excused absences.

Approval of the Agenda: The MPO Governing Board shall approve the agenda at the beginning of each regular meeting. This approval will outline the business of the Governing Board's meeting.

Election of Officers: The Chairman and Vice-Chairman shall be elected annually by the voting members of the Governing Board, with their terms to begin at that meeting. The Chairman and Vice-Chairman shall serve for a period of one (1) year from their election and may be re-elected. This election shall occur during the first Governing Board meeting of the calendar year or as needed upon a resignation of the Chairman or Vice-Chairman.

Public Comment Period: Time shall be set aside at every regular meeting and work session to allow the public to address the Governing Board on matters that are listed or not listed on the printed agenda. Those wishing to speak may do so during the "Public Comment" period. Before each meeting, a sign-in sheet will be available for those who wish to sign up to speak. Each speaker is limited to three (3) minutes and the entire public comment period shall not exceed fifteen (15) minutes. If necessary, the Chairman can extend the public comment period by a vote of the Governing Board.

Each person addressing the MPO Governing Board must approach the front of the room when recognized by the Chairman, communicate his or her name and address and then their public comments.

Members of the MPO Governing Board are discouraged from engaging in debate with a member of the public at the Governing Board meetings.

Closed Session: The Closed Session portion of the meeting is reserved for times when the Governing Board determines it necessary to enter into a Closed Session as allowed by North Carolina General Statute. It does not preclude the Governing Board from entering into Closed Session at any point during an open meeting as the Governing Board deems necessary.

Presentation(s): This time may be used as necessary to present awards or to receive remarks and presentations by distinguished guests or staff on items of interest to the Governing Board.

Consent Agenda: These are items on the MPO Governing Board agenda which are considered to be of a routine and noncontroversial nature by the Director. These items shall be acted upon collectively under a single motion. A member of the Governing Board may remove any item from the consent agenda for discussion. Any item removed will be heard immediately following action on the remaining consent agenda items.

Public Hearings: The Public Hearings portion of the meeting is reserved for any items requiring a formal public hearing when required by federal, state or local law.

Old Business: Old Business contains items which have been previously discussed and require

Governing Board action or direction.

Regular Agenda: The Regular Agenda contains items which may not have been previously discussed and require Governing Board action or direction. These items may or may not be considered controversial. These items will be accompanied by a resolution.

Discussion: Discussion items are items that require Governing Board discussion. These items will not include an accompanying resolution. Items listed under discussion may or may not receive action and/or direction during a meeting. The Governing Board may decide to take action on any discussion item or may request staff to return with an accompanying resolution at a future date.

Updates: This time is reserved to receive updates from the MPO and the various transportation partners on efforts underway in their respective organizations. Typically, this information is provided in written form and included in the agenda packet.

Announcements: This is the time when any upcoming public meetings that would be of interest to the Governing Board are provided.

Adjournment: Before there can be an adjournment, the Governing Board must, by proper action, move and vote for adjournment. Upon adjournment, the meeting is ended and no further business can be conducted.



**REVIEW AND APPROVE LEAD PLANNING AGENCY AGREEMENT
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

1/12/2024

MEMO DETAILS:

An agreement was drafted clearly defining the roles the Village of Pinehurst would fulfill on behalf of SMPO as the Lead Planning Agency. As the SMPO matures, this agreement may need to be updated as systems and processes are developed and improved. The draft agreement was presented at the last formation committee meeting.

ATTACHMENTS:

Description

- 📎 Draft LPA Agreement

SANDHILLS METROPOLITAN PLANNING ORGANIZATION (SMPO)

AND THE VILLAGE OF PINEHURST LEAD PLANNING AGENCY AGREEMENT

THIS AGREEMENT is entered into the _____ day of _____, 2023, by and between the SANDHILLS METROPOLITAN PLANNING ORGANIZATION, a transportation planning organization and governmental body, established and operating pursuant to 23 US Code 134, and Chapter 136, Article 16, of the North Carolina General Statutes (“SMPO”); and the VILLAGE OF PINEHURST, a municipal corporation organized and existing under the laws of the State of North Carolina (“Pinehurst”) (collectively, the “Parties”).

RECITALS AND BACKGROUND STATEMENT

Title 23, Section 134 of the US Code requires, as a condition of federal transportation funding assistance, the establishment of programs of comprehensive transportation planning in accord with applicable laws. Article 16 of Chapter 136 of the General Statutes provides for the creation of metropolitan planning organizations (“MPO”) to perform comprehensive transportation planning services in the state. SMPO is the officially designated MPO for its jurisdictional region, consisting of county and municipal governments (“Members”), which comprise SMPO’s membership and governing authority.

The Members of SMPO, together with the NC Department of Transportation and the State of North Carolina, have entered into a Memorandum of Understanding (the “MOU”) dated _____, 2023, setting forth their collective agreement regarding a continuing, cooperative, and comprehensive transportation planning process for the Sandhills Metropolitan Planning Area.

SMPO and Pinehurst acknowledge the MOU as establishing those goals, objectives, rules, regulations, responsibilities, mandates, and means for achieving the same, to which SMPO and its Members and agencies are subject. As established by the MOU, the SMPO Governing Board is responsible for cooperative transportation planning decision making for SMPO, including but not limited to review and approval of the Unified Planning Work Program, Comprehensive and Metropolitan Transportation Plans, and Transportation Improvement Program; development and approval of by-laws; providing direction and control of SMPO staff; and approval of cooperative agreements with municipalities and others.

As authorized by its Governing Board, SMPO has formally requested that Pinehurst be designated as its Lead Planning Agency (“LPA”) to assist SMPO in the performance of certain agreed-upon functions and duties. Pinehurst has agreed to accept the LPA designation and assume the duties and functions of the Lead Planning Agency for SMPO, effective on January 1, 2024, all according to terms set forth in this Agreement.

While the working relationships and protocols among officers and staff of SMPO and Pinehurst are expected to adapt and evolve, the Parties desire to formally set forth and clarify their respective primary authorities, responsibilities, and operations, according to terms of this

Agreement.

IN CONSIDERATION OF the Recitals and Background statement, the mutual benefits to SMPO and Pinehurst arising hereunder, and other good and valuable consideration, the Parties agree to the following:

I. PURPOSE AND OBJECTIVES; TERM

As stated in the Recitals and Background Statement (incorporated and adopted as a part hereof), the purpose of this Agreement is to set forth the legal and functional relationships between SMPO and Pinehurst as LPA. The Agreement is intended to inform and instruct the officers and staff of both organizations regarding their respective areas of responsibility.

The term of this Agreement begins January 1, 2024 and ends June 30, 2026 (“Initial Term”). This Agreement shall automatically renew and continue in effect for successive three-year terms (“Renewal Terms”), up to a maximum of ten (10) additional Renewal Terms, unless either party gives written notice of its intention not to renew the Agreement at least six (6) months prior to the end of the Initial Term or any Renewal Term. In that event, this Agreement shall automatically terminate at the end of the said Term.

II. GENERAL SCOPE OF SMPO AND PINEHURST RESPONSIBILITY

RESPONSIBILITY OF SMPO

SMPO shall be responsible for the conduct of the metropolitan transportation planning process in accordance with applicable laws, regulations, and agreements. The planning process shall include the establishment of general goals and objectives; the review and approval of a Prospectus for transportation planning; review, maintenance and updating of the Metropolitan Planning Area boundary; review and approval of the Comprehensive and Metropolitan Transportation Plans; review and approval of the Transportation Improvement Program; review and approval on an annual basis of the Unified Planning Work Program (“UPWP”) and annual budget; and other duties and responsibilities in accord with the MOU and as directed by the Governing Board.

SMPO shall at all times be the sole and exclusive common law employer of all SMPO staff, and SMPO shall comply with all applicable federal, state and local laws governing such matters. A subcommittee described in Section 10 of the SMPO MOU will be created for the hiring, counselling, discipline, termination, performance evaluation, etc. of senior SMPO staff. An employment agreement will be entered into between SMPO and the Director.

Subject to the authority and direction of the Governing Board, the Director shall have

sole responsibility for: (1) The development of an appropriate organizational structure to carry out SMPO's responsibilities and duties; (2) The selection, appointment, assignment, training, discipline, termination, grievances and appeals and all other terms and conditions of employment of SMPO staff (with the sole exception of those benefits and limited administrative services provided by Pinehurst as set forth in this Agreement); (3) The supervision, direction, and control of any SMPO staff and other personnel necessary to carry out the transportation planning process; and (4) The development of procedures to monitor and coordinate the planning process and the overall administration of SMPO's programs.

RESPONSIBILITY OF PINEHURST AS LPA

To facilitate the transportation planning process generally, and in furtherance of the goals and objectives of SMPO under the MOU, Pinehurst agrees to provide certain administrative services to SMPO. Such services shall be in accordance with provisions of this Agreement, and as may be further agreed upon by Pinehurst and SMPO as described herein. In accordance with applicable laws and regulations to which SMPO is subject, the UPWP shall be prepared by the SMPO in cooperation with Pinehurst (acting as LPA) and the appropriate State and Federal agencies. For the avoidance of doubt, Pinehurst shall not supervise, direct, or control any SMPO staff, including but not limited to the Director, nor have any right to do so.

As a local government unit member of SMPO, Pinehurst shall continue to have and enjoy the authority, responsibilities, and entitlements arising therefrom.

III. PAYMENT FOR SERVICES PROVIDED

SMPO shall reimburse Pinehurst for costs arising from services to SMPO by Pinehurst as LPA. Such costs include both "Direct LPA Costs" and "Indirect LPA Costs", as further described below:

Direct LPA Costs. These costs include actual cost reimbursement of any type of sums paid by Pinehurst on SMPO's behalf, such as salary and benefit payments and expense reimbursements to or on the behalf of SMPO staff; costs of office and other equipment or resources leased or purchased by SMPO; insurance (including workers' compensation and settlements) and other actual and direct costs of products provided to SMPO by Pinehurst.

Indirect LPA Costs. Pinehurst and SMPO have reached agreement regarding principles and guidelines for determining and allocating indirect costs of LPA services and resources provided to SMPO by Pinehurst ("Indirect LPA Costs"). In consideration of indirect LPA costs, both Parties agree that SMPO will provide payment of **\$X,000 annually** to the Village of Pinehurst during the initial term of this agreement. This sum shall be invoiced annually and paid within 30 days of receipt. Prior to the start of each successive renewal period, a third party will review Pinehurst support operations and

recommend an indirect LPA cost amount to be reimbursed to Pinehurst from SMPO. Pinehurst and SMPO will confer and agree upon a reimbursable indirect LPA cost amount to be effective for each year during the renewal period.

SMPO shall have sole responsibility for satisfying all requirements, including the submission of all necessary documentation, to receive any federal, state, or other funding necessary to reimburse Pinehurst for all direct and indirect costs. If SMPO reimbursements to Pinehurst for a given fiscal year do not cover all accrued and eligible Direct and Indirect LPA Costs for that fiscal year, SMPO will provide final reimbursement to Pinehurst of Direct and Indirect LPA Costs due, if any, on or before September 15 of the following fiscal year. It is anticipated that this funding will come from receipt of SMPO member participation fees.

IV. BUDGET; FINANCIAL ADMINISTRATION; COST AND EXPENSE ALLOCATION AND ACCOUNTING

In General; Responsible Officers.

As LPA, Pinehurst shall be custodian and repository of SMPO's funds and accounts. Revenues, proceeds, and other incomes and receipts of SMPO shall be paid to Pinehurst and maintained by Pinehurst in a designated SMPO fund, or funds. The Pinehurst Financial Services Director will coordinate, maintain, and facilitate the management of SMPO accounts, in close cooperation with SMPO staff. The Pinehurst Financial Services Director will be responsible for signing preaudit certificates for SMPO expenditures as required by NCGS § 159-28. Pinehurst's role is to administratively carry out SMPO's financial directives; in no event shall Pinehurst be responsible for any actions or activity associated with the inappropriate use of funds including any SMPO expenditures that may be found to be unallowable or unsubstantiated. The allocation of financial responsibilities as between Pinehurst and SMPO is set forth in Exhibit 1 to this Agreement.

SMPO Budget.

On or before March 31st of each year, SMPO shall submit to Pinehurst an annual operating budget for the next fiscal year that was approved by the Governing Board. This submission shall be approved by the Village Council as part of Pinehurst's budget process and included in Pinehurst's budget ordinance. Once the budget has been approved by the Village Council, any requested increase to the budget will require additional approval by the Village Council. SMPO staff shall prepare all documents, including staff reports, necessary to bring a requested budget increase forward to the Village Council.

Control and Management of Funds; Audit.

Management of SMPO accounts will be in accordance with federal regulations, the NC

Local Government Budget and Fiscal Control Act, rules, regulations, and practices applicable to local governments in this State, and all finance-related policies of Pinehurst.

SMPO funds in the custody of Pinehurst will be part of pooled cash and will be allocated a proportionate share of monthly interest earnings based on the cash balance at the end of each month. Pinehurst agrees to maintain sufficient cash to cover the operating expenses of SMPO as they come due.

Pinehurst will report year-end financial activities related to the independently created SMPO special revenue fund as part of Pinehurst's Annual Comprehensive Financial report. SMPO's financial transactions will be included in Pinehurst's annual external financial audit. SMPO staff shall promptly fulfill any auditor requests for information related to SMPO transactions. Any findings or action required as a result of the audit shall be promptly addressed and resolved by SMPO; failure to do so constitutes a material breach of this Agreement. If SMPO desires or is required to produce additional financial reports or audits, such as a federal single audit, the cost will be billed to SMPO as a direct cost.

V. CONTRACTING AND PROCUREMENT

SMPO shall have sole authority and responsibility to review and approve all proposals and contracts for materials, equipment, goods, grants, and services arising under the authority of SMPO relating to such matters that are not the responsibility of Pinehurst as LPA. SMPO's solicitations, proposals, bids, and contracts for procurement of equipment, materials, and services shall be handled in accordance with applicable Pinehurst policies and procedures and State or federal policies and regulations to which SMPO is subject.

Pinehurst and SMPO acknowledge and agree that SMPO's contracting and procurement practices shall be governed by, and SMPO has adopted, applicable federal and NCDOT Disadvantaged Enterprise goals and policies. In addition, SMPO shall comply with Pinehurst's non-discrimination Policy Statement and requirements, and policies relating to contracting and procurement. SMPO will develop policies clarifying the delegation of authority and dollar amount thresholds for the approval of contracts and expenditures.

VI. INFORMATION TECHNOLOGY AND OFFICE EQUIPMENT

Pinehurst agrees to provide SMPO with information technology and office equipment and related technical, administrative, and clerical services, and other incidental items, in the performance of SMPO's duties and responsibilities, as set forth in Exhibit 2 to this Agreement.

SMPO will purchase or lease, maintain, and upgrade the office equipment, office and/or computer hardware, software, and other resources that it determines is necessary.

Funds allocated to SMPO and identified in the UPWP for such acquisitions will be used for such purposes. Alternatively, upon written request by SMPO to Pinehurst, acquisition of such equipment and resources may be undertaken as part of Pinehurst purchases of similar items or bundled with Pinehurst or State contracts for similar equipment and resources in accordance with applicable laws and procedures. Any such purchases by Pinehurst are Direct LPA Costs to be reimbursed pursuant to the terms of this Agreement unless otherwise explicitly stated. All resources and equipment purchased by SMPO independently shall be the property of SMPO. All resources and equipment purchased by Pinehurst on SMPO's behalf shall, upon full reimbursement of all costs to Pinehurst, be the property of SMPO, unless the terms of such purchases, such as a grant agreement, preclude ownership by an entity other than Pinehurst. For example, certain software licenses purchased by Pinehurst for use by SMPO staff may remain property of Pinehurst.

SMPO is responsible for ensuring equipment purchased with grant funds is purchased and maintained in compliance with grant requirements.

SMPO acknowledges and agrees that, with respect to computer hardware, software, or other resources intended to operate on or communicate through Pinehurst's network, such hardware, software, or resources are subject to Pinehurst approval for compatibility and consistency with Pinehurst standards.

VII. HUMAN RESOURCES ADMINISTRATIVE SERVICES

Pinehurst agrees to provide certain administrative services on SMPO's behalf, as set forth in Exhibit 3 to this Agreement. SMPO and Pinehurst agree that SMPO staff, including the Director, shall be considered employees of Pinehurst solely for the purposes of the NC Local Governmental Employees' Retirement System ("LGERS"), health and welfare and other benefits, and general payroll administration and tax withholding, remitting, and reporting, and the policies and procedures related to such matters.

For the avoidance of doubt, Pinehurst shall not be a common law or joint employer of SMPO staff, and SMPO staff shall not be considered employees of Pinehurst except for the purposes of LGERS, health and welfare and other benefits, and general payroll administration. Neither SMPO nor SMPO staff have authority to act on Pinehurst's behalf or hold itself or themselves out as having such authority. SMPO shall be solely responsible for timely and effectively notifying applicants and staff of the terms of this Section VI.

The Director will be responsible for submitting all information to Pinehurst as requested by Pinehurst necessary to carry out the administrative services provided to SMPO, or on its behalf, pursuant to this Agreement.

VIII. AGENDAS, MINUTES AND PUBLIC RECORD SERVICES

Pinehurst agrees to provide certain administrative services as related to the management of agendas and minutes as well as public records as further detailed in Exhibit 4. SMPO will be responsible for setting the agenda items within the agenda management software. The Pinehurst Village Clerk, or designee, will ensure that the agenda is posted in accordance with North Carolina statute. Meeting minutes will also be recorded by the Pinehurst Village Clerk and be available in draft form within five business days of the meeting. The Pinehurst Village Clerk, or designee, will also oversee the records management program and ensure all agendas, minutes and other public records are available for public inspection.

IX. COMMUNICATION/COOPERATION

Pinehurst and SMPO, through its Director, shall provide mutual cooperation, communication, and assistance, one to the other, so that services and activities of both organizations will be carried out in the most efficient and professional means possible.

Contact individuals for purposes of communications and notices under this Agreement are as follows:

FOR SMPO:

Someone, Director
Sandhills Area MPO
395 Magnolia Drive
Pinehurst, NC 28374

FOR PINEHURST:

Village Manager
395 Magnolia Drive
Pinehurst, NC 28374

X. LEGAL REPRESENTATION

The Pinehurst Village Attorney does not represent SMPO and is not permitted to provide any legal advice or counsel to SMPO staff or the Governing Board. SMPO may contract for general legal services on a continuing basis, as it deems appropriate, including with the same firm that represents the Village of Pinehurst. As it deems necessary, SMPO may engage other legal counsel for more specialized needs, projects, or assignments.

XI. AMENDMENT, TERMINATION, INDEMNIFICATION, MISCELLANEOUS.

Entire Agreement; Amendments. This Agreement represents the entire and integrated agreement between the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral, including clickthrough agreements, clickwrap

agreements, clickwrap licenses, or similar non-reciprocal agreements (collectively, “clickthrough agreement”). Neither party may amend, or seek to amend, this Agreement by clickthrough agreement. The Village Manager and Director are authorized to make amendments to the Exhibits of this Agreement without further approval from the Village Council or Governing Board; all other amendments to this Agreement must be authorized by the Village Council and Governing Board. All amendments shall be memorialized in a written amendment signed by both parties.

Termination. Any Party desiring to terminate this Agreement without cause shall give written notice to the other Party at least six months prior to the expiration of the Initial Term or any Renewal Term. If such notice is timely given, the Agreement shall terminate at the end of the relevant Term. After thirty (30) days written notice to the other party of its default or breach, this Agreement may be terminated by the non-defaulting party, provided that the other party has not taken all reasonable actions to remedy the breach. In the event of termination for any reason (or no reason), Pinehurst shall be paid (1) all Direct LPA Costs incurred before the date of termination, as well as (2) a pro rata share of all Indirect LPA Costs for the period prior to the date of termination. In addition, Pinehurst shall be paid (3) any costs incurred or anticipated to be incurred by Pinehurst due to SMPO’s breach of Agreement and (4) any Direct or Indirect LPA Costs incurred by reason of termination.

Indemnification. To the fullest extent permitted by law, SMPO shall indemnify and hold harmless Pinehurst, its officers and employees (collectively, “Indemnitees”), from and against all claims, costs, civil penalties, fines, losses, and damages (including but not limited to professionals’ fees and charges and all court or other dispute resolution costs) (collectively, “Claims”), by whomsoever brought or alleged, arising out of, resulting from, or in connection with (a) any breach by SMPO or any of its officers, employees, contractors, or agents (collectively, “Indemnitors”), of any term or condition of Agreement, (b) any breach or violation by Indemnitors of any applicable law or regulation, (c) any other cause resulting from any act or failure to act by Indemnitors under this Agreement, (d) the employment of any SMPO staff, or application for any such employment, or (e) the administration of funds by SMPO. This indemnification shall survive the termination of Agreement.

SMPO’s Representations and Warranties. By executing Agreement, SMPO represents and warrants that now and continuing for the term of Agreement:

- a. SMPO shall comply with this Agreement and with all applicable federal, state, and local laws, ordinances, rules, and regulations governing SMPO and its operations, including but not limited to employment of its staff;
- b. SMPO shall work in good faith with Pinehurst to meet requirements imposed by the federal or state government or other funding entity if such funds are used to fund any portion of Agreement;

- c. The individuals signing Agreement have the right and power to do so and bind SMPO to the obligations set forth herein, and such individuals do so personally warrant that they have such authority; and
- d. Neither the execution of this Agreement, nor the fulfillment of or compliance with its terms and conditions, nor the consummation of the transactions contemplated by this Agreement, (i) results in a breach of the terms, conditions, or provisions of any agreement or instrument to which SMPO is not a party or by which SMPO is bound, or constitutes a default under any of the foregoing, or (ii) requires the approval of any regulatory body or any other entity the approval of which has not been obtained.

Pinehurst's Representations and Warranties. By executing Agreement, Pinehurst represents and warrants that now and continuing for the term of Agreement:

- a. Pinehurst shall comply with this Agreement and with all applicable federal, state, and local laws, ordinances, rules, and regulations governing the services it provides under this Agreement;
- b. Pinehurst shall work in good faith with SMPO to meet requirements imposed by the federal or state government or other funding entity if such funds are used to fund any portion of Agreement; and
- c. The individuals signing Agreement have the right and power to do so and bind Pinehurst to the obligations set forth herein, and such individuals do so personally warrant that they have such authority.

Pinehurst provides no other representations or warranties. Specifically, and not by way of limitation, Pinehurst does not warrant that the arrangement contemplated herein satisfies legal requirements for SMPO staff to be considered members of the LGERS or eligible for participation in group health or welfare benefit plans.

Insurance. On or before January 1, 2024, SMPO shall purchase and maintain during the Initial Term and any Renewal Term, and for three years after the termination of this Agreement, insurance for protection from claims under workers' compensation acts as required by law; Commercial General Liability Insurance (including contractual liability and completed operations) covering claims arising out of or related to bodily injury and to real and personal property; Commercial Automobile Liability Insurance, including hired and non-owned vehicles, if any, covering bodily injury or death, and property damage when vehicles are use in performance of work or brought onto Village's premises; Employment Practices Liability covering claims arising out of employment including but not limited to discrimination, harassment, and wrongful termination; Fidelity/Public Official Bond for Finance Officer as required by state law for faithful performance of duties; Cyber Liability (if applicable) covering infringement, information theft, release of private information, damage, destruction and alteration of electronic

information, extortion, network security, breach response costs, and regulatory fines; and Professional Liability Insurance (if applicable) covering personal injury, bodily injury and property damage and claims arising out of or related to performance under this Agreement.

Minimum limits of insurance coverage are:

General Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate
Commercial Auto Liability	\$1,000,000 CSL
Commercial Excess Liability / Umbrella Policy	\$1,000,000 per occurrence
Employers Liability	\$500,000 per occurrence
Employment Practices Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate
Fidelity/Public Official Bond	Statutory Limits
Errors & Omissions (if applicable)	\$1,000,000 per claim
Cyber Liability (if applicable)	\$1,000,000 per claim

SMPO may satisfy the insurance limits above with a combination of primary and umbrella/excess liability insurance policies. Umbrella/Excess liability shall follow form as to each of the underlying policies. Any available insurance proceeds in excess of or broader than the specified minimum limits of insurance and coverage shall be available to Pinehurst.

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Insurers

The minimum insurance ratings for any company insuring SMPO shall be Best's A-. Should the ratings of any insurance carrier fall below the minimum rating, Pinehurst may, at its option, require SMPO to purchase insurance from a company whose rating meets the minimum standard. SMPOs insurance carrier(s) shall be authorized to do business in the state of North Carolina. If SMPO is unable to find an authorized carrier for any line of insurance coverage, SMPO shall notify Pinehurst in writing.

Additional Insured Status

All insurance policies (except Workers Compensation and Professional Liability) shall name Pinehurst, its elected officials, officers, employees and volunteers as an additional insured.

Notice of Cancellation

Each policy shall provide that Pinehurst shall receive not less than thirty (30) days prior written notice, when available, of any cancellation or non-renewal of coverage of any of the policies.

Upon notice of such cancellation, non-renewal or if a policy's limits are exhausted, SMPO shall procure substitute insurance so as to assure Pinehurst that the minimum limits of coverage are maintained continuously throughout the periods specified herein.

Primary

SMPO insurance coverage shall be primary for any claims related to this Agreement.

Waiver of Subrogation

The insurer shall have no right of recovery or subrogation against Pinehurst, its agents or agencies, it being the intention of the parties that the insurance policies shall protect Pinehurst and be primary coverage for any and all losses covered by the policies.

Verification of Coverage

A certificate of insurance and all endorsements required shall be provided on or before January 1, 2024. Pinehurst's review or acceptance of certificates of insurance shall neither relieve SMPO of any requirement to provide the specific insurance coverage set forth herein nor shall it constitute a waiver or acknowledgement of satisfaction of the specific insurance requirements set forth in this Agreement.

Certificate Holder address should read:

Village of Pinehurst
395 Magnolia Drive
Pinehurst, NC 28374

Public Records. SMPO acknowledges that records in the custody of Pinehurst are public records and subject to public records requests. Pinehurst may provide copies of such records, including copyrighted records, in response to public record requests, except that, upon request of and indemnification by SMPO, Pinehurst will not disclose records that meet all of the requirements of a trade secret as set forth in N.C.G.S. § 66-152, that are specifically designated as a "trade secret" or "confidential" at the time of initial disclosure by SMPO, and that are otherwise entitled to protection under N.C.G.S. § 132-1.2(1). If SMPO, its employees, or subcontractors, becomes aware of or has access to confidential records or information, or information of Pinehurst that is protected from disclosure by Federal or State law ("Confidential Information"), SMPO, its employees and subcontractors, shall not disclose any such Confidential Information.

Limited Assignment/Delegation. Neither Party shall assign or transfer its rights or interest in Agreement, nor delegate its duties under Agreement, without the other Party's written consent, which may not be unreasonably withheld.

Dispute Resolution. In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction.

Governing Law. The rights and duties of the Parties shall be governed by the laws of the State of North Carolina, without regards to conflict of laws provisions. Any dispute arising from Agreement shall be litigated in the courts of the State of North Carolina and any and all suits or actions related to Agreement shall be brought exclusively in Moore County, North Carolina.

Non-Exclusive Remedies/No Waiver. The selection of one or more remedies for breach shall not limit a Party's right to invoke any other remedy available under Agreement or by law. No delay, omission, or forbearance to exercise any right, power, or remedy accruing to a Party shall impair any such right, power, or remedy or shall be construed to be a waiver of any breach hereof or default. Every right, power, or remedy may be exercised from time-to-time and as often as deemed expedient.

Survival. All representations, indemnifications, and other terms and conditions of Agreement which by their nature should survive Agreement termination shall survive its expiration or termination.

Gifts and Favors. SMPO shall become aware of and comply with laws related to gifts and favors, conflicts of interest and the like, including N.C.G.S. §14-234, N.C.G.S. §133-1, and N.C.G.S. §133-32.

Nondiscrimination. To the extent permitted by law, neither Party, their officers, employees, contractors, agents, successors, or permitted assigns, shall discriminate against any member of a protected class as defined by federal, state, or local law.

Electronic Version of Agreement. Pinehurst may convert a signed original of the Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the Agreement shall be deemed for all purposes to be an original signed Agreement.

Verification of Work Authorization. SMPO shall comply with Article 2, Chapter 64, of the North Carolina General Statutes.

No Third-Party Beneficiaries. There are no third-party beneficiaries to Agreement.

Pre-Audit Requirement. This Agreement has not been fully executed and is not effective until the Preaudit Certificate (if required by N.C.G.S. § 159-28) has been affixed and signed by the Village of Pinehurst Financial Services Director or designee.

Performance of Government Functions. Nothing contained in this Agreement shall be deemed or construed so as to restrict or inhibit Pinehurst's police powers or regulatory authority.

No Waiver of Immunity. Nothing in this Agreement shall be construed to mandate purchase of insurance by Pinehurst pursuant to N.C.G.S. § 160A-485 or to in any way waive Pinehurst's defense of governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law. No officer, agent, or employee of Pinehurst shall be subject to any personal liability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities. This section shall not relieve any such officer, agent, or employee from the performance of any official duty provided by law.

Electronic Signatures. Both Parties acknowledge and agree that the electronic signature application DocuSign may be used to execute this Agreement and any associated documents. By selecting 'I Agree,' 'I Accept,' or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, the Parties consent to be legally bound by the terms and conditions of this Agreement and that such act constitutes their signature as if actually signed in writing. No certification authority or other third-party verification is necessary to validate such electronic signature and the lack of such certification or third-party verification will not in any way affect the enforceability of such electronic signature. Delivery of a copy of this Agreement or any other document contemplated hereby, through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

[SIGNATURES TO BE INSERTED HERE]

Exhibit 1 – Provision of Financial Services

	PINEHURST	SMPO
Budget Development & Management		
Budget/UPWP Development		X
Budget ordinance formatting for Council (Info provided by SMPO)	X	
Budget approvals in system	X	
Budget monitoring		X
Submittal of budget transfers & modifications		X
Budget transfers & modifications, obtain Council approval as needed, entry into system.	X	
Budget amendments (preparation)		X
Budget amendments (system entry)	X	
Accounting		
Maintenance and verification of appropriate expenses in GL		X
Reconciliations of ledgers for quarterly reporting		X
Submit reclasses for ledger requests (revenue & expense)		X
Approval and posting of reclasses for ledger requests (revenue &	X	

	PINEHURST	SMPO
expense)		
Maintenance of Financial Source documents		X
Uniform Guidance Compliance	X	X
Posting/Receipt of Revenues to GL	X	
Revenue Tracking/reconciliation	X	
Year-end entries for ACFR/SEFSA (Info provided by SMPO)	X	
Purchasing		
PO Request/Submission under LPA process		X
Creation of PO	X	
Contract Execution		X
Requests of Change orders/monitoring of POs		X
Approval of POs or PO change orders	X	
Accounts Payable		
Maintenance/Setup of Vendors	X	
Submittals of payables/compliance of LPA process		X

	PINEHURST	SMPO
Processing Invoices	X	
Travel forms/reimbursement requests		X
Processing and paying of travel and expenses	X	
P-Card reconciliation and receipt submission		X
Audits and Financial Reporting		
Independent Audit	X	
Single Audit Documentation		X
Staff Report Preparation	X	X
Reimbursement Submittals		
Compiling Reimbursement packet to NCDOT		X
Review of Reimbursement packet by Finance Officer	X	
Final Signature and Submission to appropriate portals for funders		X
Reporting schedules to NCDOT		X
Federal Certification Response		X
Miscellaneous		
Payroll/Timesheet submittal		X

	PINEHURST	SMPO
Payroll processing	X	
Member Dues billing	X	
Other Partnership billing	X	
Policy development and enforcement (in supplement to VOP policies)		X
Inventories/Custody of assets		X

Exhibit 2 – Provision of Information Technology and Office Equipment

	Pinehurst	SMPO
Software		
Microsoft Office 365 Tenant	X	
Adobe Acrobat	X	
Web meeting application (Zoom, Teams, etc.)	X	
NOVUS (Agenda Software)	X	
ESRI (GIS Software)	X	
Transportation Modeling (Caliper)		X
Pinehurst Applications (GP, NeoGov, Training)	X	
Hardware		
Laptops and other computers	Purchased as a direct cost to SMPO, maintained by Pinehurst	
Plotter	Purchased as a direct cost to SMPO, maintained by Pinehurst	
Printers/Copiers/Multi- Function Devices	Purchased as a direct cost to SMPO, maintained by Pinehurst	
Audio / Video Equipment	X	
Networking / Telephony		
Network Drives / Cloud data storage / data backups	X	
SMPO LAN & Equipment (Switches, UPS, Wireless Access	X	

	Pinehurst	SMPO
Points)		
SMPO Internet	X	
Telephony (Telephone, Voicemail, & related items)	X	
Mobile Wi-Fi Hot Spot / Router	X	
Mobile Phones for SMPO Staff		X
SMPO Office Security (Card Readers, Security Cameras)	X	
Other		
SMPO Websites & Domains	X	
Website Content	X	X

Exhibit 3 – Provision of Human Resources Administrative Services

	Pinehurst	SMPO
Job specification creation and editing		X
Job ad creation	X	
Placing job vacancy recruitment postings via NeoGov and other posting sources	X	
Application screening	X	
Formulating interview questions; interviewing candidates; final selection		X
Background and drug testing administrative services	X	
Correspondence with job applicants	X	
New hire paperwork	X	
New employee I-9 verifications and storage	X	
New employee onboarding	X	
Employee performance evaluations, including pay for performance and merit increase recommendations		X
New Employee entry and existing personnel action entry into Payroll/Personnel system	X	

	Pinehurst	SMPO
Disciplinary and employee relations issues		X
Employee investigations		X
Employee dismissals		X
Storage and Maintenance and Retention of employee personnel files (excluding LGERS and group health and welfare benefits)	X	
General benefits questions	X (group health and welfare only)	X
Administration of core (health/dental/life ins) related benefits	X	
Administration of Flexible Spending benefit services	X	
Any other Pinehurst provided employee benefits administration services	X	
Worker's Compensation Claims and Injury Administration (including settlements)	X	
All Employee Safety	X	
Leave related benefits (including FMLA and ADA leave) administration services	X	
Retirement and 401(k) general questions	X	

	Pinehurst	SMPO
Retirement application processing services	X	
All employee appreciation/recognition	X	
Storage and Maintenance of benefits and related files	X	
Employee offboarding	X	
Policy and Procedure development, implementation, and enforcement	X	
Employee questions regarding policies and procedures	X	

Exhibit 4 – Provision of Agenda, Minutes and Records Management Services

	Pinehurst	SMPO
Agenda creation within the agenda management software		X
Submission of agenda items within software program		X
Approval of agenda items	X	
Posting of the agenda	X	
Recording of minutes	X	
Posting of minutes	X	
Responding to public records requests	X	

Exhibit 5. Pinehurst Policies and Procedures of which SMPO Employees are Excluded.

Compensation Policy



DISCUSSION OF CENTRAL PINES RPO POINTS DISTRIBUTION ADDITIONAL AGENDA DETAILS:

FROM:

Karyl Fuller, Director Central Pines RPO

DATE OF MEMO:

1/11/2024

MEMO DETAILS:

Mr. Willardson,

As you likely know, I am the RPO Director for Central Pines RPO, and I have spoken briefly before the formation committee about the ongoing SPOT process. I submitted all of the projects for Moore County back in October and now, we are gearing up for the next step, the Local Input Points process. CPRPO is willing to score SMPO's projects, as part of our methodology, or the Board can submit their own (though it has to be submitted to NCDOT for approval by May 1). I will note here that while I may assign draft points, the Board can change that before points are submitted back to NCDOT, though they will need to supply a reason for the deviation.

I will also note that I have talked with my Board, and we are willing to provide 400 points from our 1500 points for SMPO to put on projects. I will need to know SMPO's wishes about 10 days before my Board meets, so that they can be included in our discussions (basically, so we do not duplicate points, and we assign all points) and so that I can then enter them into SPOT Online, as an authorized person.

I will need to include all of this in CPRPO's Methodology which I need NCDOT and my Board to approve by May 1. So, I was wondering if I can get on the agenda for the next meeting or do you feel comfortable (if you are not the right person, please let me know), getting the Board to agree to this or let me know their concerns.

To summarize,

CPRPO is:

- Willing to include all of Moore County's SPOT projects in their methodology, if SMPO is okay with this
- Willing to score those projects and assign draft points
- Provide that information to SMPO
- Donate 400 points for SMPO to use to put on their projects

SMPO needs to:

- Let CPRPO know that they are ok with the methodology or do their own
- Review the draft scores and assign final local input points (400 max)
- Provide those point assignments to CPRPO at least 10 days before the appropriate CPRPO meetings (final Regional points and final Division points) with required documentation if deviating from the draft point assignment

I have also attached my draft methodology. It has not been approved by NCDOT or my Board, but that will

happen soon (February-March).

Feel free to contact me with questions or concerns.

Karyl

ATTACHMENTS:

Description

- ▣ Central Pines RPO Project Prioritization Policy

Prioritization 6.0 Local Point Methodology for Triangle Area RPO

April 8, 2021

Introduction

The following methodology has been developed by the Triangle Area Rural Planning Organization (TARPO) for the purpose of determining regional priorities for transportation funding, as carried out through the State of North Carolina's Strategic Transportation Investments (STI) law and the associated Prioritization 6.0 process. This methodology is intended to incorporate both measurable data and information about priorities from local jurisdictions, to ensure a process that is both data-driven and responsive to local needs. The Triangle Area Rural Planning Organization serves Lee and Moore Counties, as well as the portions of Chatham and Orange Counties that are not within the planning area of a Metropolitan Planning Organization. This methodology has been developed to meet the requirements of Session Law 2012-84, which requires that MPOs and RPOs have a process for determining project prioritization.

STI divides available state and federal transportation funding into three categories: Statewide Mobility, Regional Impact, and Division Needs. For each category, NCDOT calculates quantitative scores based on a variety of criteria. In the Statewide Mobility category, projects are selected for funding based entirely on the NCDOT quantitative score. However, in the Regional Impact and Division Needs categories part of the final score is based on local points assigned by the MPO or RPO and/or the NCDOT Division Engineer in that area. The local input points assigned by TARPO (and other MPOs and RPOs) represent 15% of the final score for Regional Impact projects and 25% of the final score for Division Needs projects. Points assigned by NCDOT Division Engineers are also worth 15% of the Regional Impact score and 25% of the Division Needs score.

In the TARPO area, the following types of projects are eligible for each category of project:

Statewide Mobility	Highway: Improvements to US 1, US 64, US 15-501 (only the portion north of US 64), US 421 (only the portion north of or overlapping NC 87), NC 87 (only the portion south of or overlapping US 421), NC 24-27* Rail: Improvements to NS or CSX freight lines All Other Modes: None
Regional Impact	Highway: Improvements to any NC or US Routes Rail: Improvements to NS or CSX freight lines, non-station passenger rail projects Transit: Multi-county transit routes All Other Modes: None
Division Needs	All Modes: All projects

*NC 24-27 is only eligible at the Statewide Mobility level for four-lane widening projects. Other types of projects on NC 24-27 are only eligible for Regional Impact and Division Needs.



It should be noted that projects from higher categories are able to “cascade down” for eligibility in lower categories as well, should they be unsuccessful in getting selected for funding at the higher category. Thus all Statewide projects are also eligible in the Regional and Division competitions, and all Regional projects are also eligible in the Division competition.

TARPO has 1500 local input points to assign in both the Regional Impact and Division Needs categories. This document describes the method for selecting projects to which to assign these points.

The local prioritization process consists of three parts: (1) ranking of projects at the countywide level; (2) quantitative scoring of projects; and (3) ranking of scored projects for assignment of points. Each of these is discussed in more detail below.

Description of Criteria and Weights

Countywide Ranking of Projects

Within each TARPO county, all the local jurisdictions (including the county and any municipalities within the county) must work together to develop a single ranked list of projects in all modes to submit to TARPO for use in the prioritization process. This list must be based on the list of projects that have been previously submitted to NCDOT—new projects cannot be added at this point in the process. These projects should be ranked in order from highest priority (#1) to lowest (#10). If there are more than ten projects within a county, then only the top ten should be ranked. It is up to the local jurisdictions, working together, to determine the best method for achieving this within each county; however, the following general rules apply:

- All jurisdictions should be given an opportunity to participate in the development of their county’s ranked project list if they choose
- The process must include at least one meeting open to the public that allows for public comment
- There must be written documentation stating the reasoning behind the selected project ranking (this must be submitted to TARPO and will be posted online along with the project list)

These local ranked priority lists should be developed and submitted to TARPO within 45 days after NCDOT releases its draft quantitative scores for projects. Once submitted to TARPO, the local priority lists will be posted online and made available for additional public comment prior to the TARPO RTAC’s approval of local input points on projects.

All projects will receive 50% of their total TARPO score based on the ranking assigned to that project by local officials in the above-described countywide rankings. This applies to all modes. These points will be assigned as follows:

# 1 Priority in County	50 points		# 6 Priority in County	25 points
# 2 Priority in County	45 points		# 7 Priority in County	20 points
# 3 Priority in County	40 points		# 8 Priority in County	15 points
# 4 Priority in County	35 points		# 9 Priority in County	10 points
# 5 Priority in County	30 points		#10 Priority in County	5 points

* All other projects (ranked lower or unranked) receive 0 points for this item.

NCDOT Quantitative Scores

The remaining 50% of the TARPO score is based on the Prioritization 6.0 quantitative score calculated by NCDOT. The elements that make up these scores are defined by NCDOT's Prioritization Work Group for each mode and category (see NCDOT's [Prioritization Resources](#) website for more information):

Regional Impact: Because all Prioritization 6.0 regional quantitative scores are on a 70 point scale, the final results are multiplied by 0.7143 to convert them to a 50 point scale for use in TARPO scoring.

Division Needs: Prioritization 6.0 division quantitative scores are reported on a 50 point scale, so unlike the regional category above, no rescaling of scores is necessary.

Total Score and Project Ranking Approach/Point Assignment Process

Once all projects in each mode have been scored according to the criteria above, TARPO staff will develop a ranked list of projects within each county and within the region as a whole based on the outcome of the scoring. This ranked list of all projects in all modes will be used to develop the recommended point assignments that are presented to the public for comment and to the RTCC and RTAC for approval. There will be separate rankings for the Regional Impact category and the Division Needs category.

The recommendation will call for the two top-scoring projects within each county (regardless of mode) to be allocated 100 points each. Additionally, the seven next-highest scoring projects within the region (regardless of county and mode) will also be allocated 100 points each, to reach TARPO's total point allocation of 1500 points. In the event that a county does not have at least two eligible projects, then additional projects will be selected from the top of the list of remaining projects in the other counties. This allows for geographic equity of projects in the TARPO region.

No projects with a Prioritization 6.0 quantitative score less than 10 will be recommended for points.

Any project that local jurisdictions specifically request not be assigned points during the countywide project ranking process will not be recommended for points.

An example of the ranking process is shown on the next page.

Example – The projects in the Example RPO are ranked as follows:

Project ID	County	County Rank Points (50)	Quantitative Points (50)		Total Score (100)		Recommended for 100 Local Points	
			Regional	Division	Regional	Division	Regional	Division
A000001	County B	50	N/A	40.59	N/A	90.59		Yes – County B #1
B000003	County D	50	N/A	34.14	N/A	84.14		Yes – County D #1
H000001	County A	50	29.34	32.35	79.34	82.35	Yes – County A #1	Yes – County A #1
H000002	County C	45	33.36	33.19	78.36	78.19	Yes – County C #1	Yes – County C #1
B000001	County C	50	N/A	26.23	N/A	76.23		Yes – County C #2
H000008	County D	45	26.02	28.73	71.02	73.73	Yes – County D #1	Yes – County D #2
B000002	County B	45	N/A	27.86	N/A	72.86		Yes – County B #2
A000002	County C	40	N/A	32.67	N/A	72.67		Yes – Rem. #1
H000003	County A	45	25.65	27.15	70.65	72.15	Yes – County A #2	Yes – County A #2
H000010	County D	40	30.59	31.65	70.59	71.65	Yes – County D #2	Yes – Rem. #2
A000003	County C	35	N/A	32.67	N/A	67.67		Yes – Rem. #3
B000004	County D	35	N/A	29.16	N/A	64.16		Yes – Rem. #4
B000007	County B	40	N/A	24.06	N/A	64.06		Yes – Rem. #5
B000005	County C	25	N/A	38.00	N/A	63.00		Yes – Rem. #6
H000005	County A	40	N/A	20.63	N/A	60.63		
H000006	County B	35	21.04	23.02	56.04	58.02	Yes – County B #1	
A000004	County D	30	N/A	27.35	N/A	57.35		
H000011	County A	25	29.18	31.34	54.18	56.34	Yes – Rem. #1	
H000004	County C	30	23.74	25.77	53.74	55.77	Yes – County C #2	
H000007	County A	35	N/A	18.17	N/A	53.17		
B000006	County B	30	N/A	22.41	N/A	52.41		
H000017	County D	25	24.87	27.21	49.87	52.21	Yes – Rem. #2	
B000010	County C	20	N/A	31.69	N/A	51.69		
B000008	County C	15	N/A	36.60	N/A	51.60		
H000019	County D	20	25.31	26.22	45.31	46.22	Yes – Rem. #3	
H000012	County B	25	N/A	20.59	N/A	45.59		
H000020	County A	20	23.42	24.96	43.42	44.96	Yes – Rem. #4	
H000009	County A	30	N/A	13.06	N/A	43.06		
B000009	County B	20	N/A	20.44	N/A	40.44		
H000021	County D	15	21.89	24.15	36.89	39.15	Yes – Rem. #5	
B000011	County C	10	N/A	24.88	N/A	34.88		
H000015	County B	15	14.81	16.75	29.81	31.75	Yes – County B #2	
H000024	County D	10	19.51	20.63	29.51	30.63	Yes – Rem. #6	
H000014	County C	0	27.85	28.72	27.85	28.72		
A000005	County C	0	N/A	24.97	N/A	24.97		
H000026	County D	5	20.14	19.89	25.14	24.89		
H000025	County B	0	23.52	23.70	23.52	23.70		
H000016	County C	0	23.06	23.07	23.06	23.07		
B000012	County B	10	N/A	11.79	N/A	21.79		
H000028	County D	0	20.69	20.92	20.69	20.92		
H000027	County D	0	18.46	19.72	18.46	19.72		
H000013	County C	5	N/A	12.57	N/A	17.57		
H000022	County B	5	9.55	11.27	14.55	16.27		
B000013	County D	0	N/A	15.71	N/A	15.71		
H000023	County C	0	13.89	13.70	13.89	13.70		
H000018	County C	0	N/A	12.19	N/A	12.19		
H000029	County D	0	13.17	11.76	13.17	11.76		
H000028	County D	0	N/A	11.67	N/A	11.67		

In this example:

County A would receive points on 4 Regional Impact projects and 2 Division Needs projects.
 County B would receive points on 2 Regional Impact projects and 3 Division Needs projects.
 County C would receive points on 2 Regional Impact projects and 5 Division Needs projects.
 County D would receive points on 6 Regional Impact projects and 4 Division Needs projects.

Point Flexing Policy

NCDOT allows RPOs to flex up to 500 points between the Regional Impact and Division Needs categories. TARPO has the option to apply this flexing policy by shifting up to 500 points from the Regional category to the Division category or by shifting up to 500 points from the Division category to the Regional category. The TARPO RTAC has the discretion to decide whether or not it wishes to flex any points between categories. If the RTAC chooses to flex local input points, TARPO must provide documentation of this decision to the NCDOT SPOT Office before the deadline for assigning Regional Impact category local input points.

Deviations from Methodology

These recommended point assignments will be presented to the RTCC and RTAC for their review and approval. The RTCC retains the discretion to make recommendations to the RTAC regarding changes to the list. The RTAC has the final discretion regarding assignment of local points, and retains the flexibility to make changes to these point assignments if it is able to document a reason for doing so. These changes must be documented and made available to the public via the TARPO website.

Cascading Projects

TARPO will submit its Regional Impact local point assignments separately from its Division Needs local point assignments, and will be able to learn which projects are funded in the Regional Impact category before assigning points in the Division Needs category. As a result, if there are projects **funded** in the Regional Impact category that would otherwise be in line to receive Division Needs points as a result of this methodology, those Division Needs points will instead be assigned to the next-highest scoring eligible project that has not received points (subject to the rules requiring that at least two projects from each county receive points). This process will be clearly explained as part of the public outreach process, and the list of “next in line” projects that could potentially be affected by this rule will be presented at the same time the initial point assignment recommendations are presented.

Point Sharing

On projects that cross outside of the TARPO planning boundary, TARPO must coordinate with its neighboring organizations on the allocation of points. By right, TARPO may only assign the number of points equal to the percentage of the project that is located within the TARPO boundary—for example, TARPO could assign a project that was 48% located within its boundary only 48 points by right. However, TARPO will coordinate with its neighboring organizations to “share” points to ensure that these projects reach a point total of 100 points—in the example above, TARPO would share 52 points with its neighbors to ensure the project receives 100 points. In the event that point sharing is not necessary on these projects, either because the neighboring organization already plans to assign its full amount of points for the project or because the neighboring organization rejects TARPO’s offer to share points, TARPO will only assign the points for the portion within its boundary and the remaining points will be allocated to the next-highest scoring project on the project list that did not already receive full points.

Schedule and Public Outreach/Material Sharing

Public Participation in Project Scoring Process

As part of this project scoring process, TARPO will post the list of projects being submitted for Prioritization 6.0, the county-level priority lists, the results of the quantitative analysis, the recommended draft local input point assignments, and the final approved local input point assignments at the following website: <https://www.tarpo.org/resources/prioritization/>. The public is invited to submit comments via the website, email, phone, or mail, as well as in person at RTCC and RTAC meetings **at any point** throughout the process. Additionally, at least one public meeting will be held to gather comments at a time after the initial staff-recommended scoring is developed based on this scoring methodology, but before the RTCC and RTAC vote on the assignment of points. Any comments provided by the public will be reviewed by the RTCC and RTAC before the vote on the assignment of points and those discussions will be documented in the meeting minutes.

Proposed Schedule for Implementation of Policy in Prioritization 6.0

RTCC & RTAC adoption of project list to submit to NCDOT – occurred on February 13, 2020

Adoption of **this policy** – April 8, 2021 (with public hearing at beginning of RTAC meeting)

NCDOT has not yet finalized the schedule for the remainder of the Prioritization 6.0 process at the time of this document's adoption. When TARPO staff learns about further schedule details, they will be listed on the website linked above. A general outline of the likely schedule follows:

- NCDOT will release quantitative project scores and announce the projects that are funded in the Statewide category
- Next, each county, working jointly with its municipalities, will approve a ranked list of its top ten projects and submit this list to TARPO – this should happen within 45 days after NCDOT releases the project scores if possible
- Then TARPO staff will calculate scores for local point assignment based on this adopted methodology and post the scores and draft point assignments on the TARPO website
- TARPO staff will host public workshop(s) to present local input point assignments and gather input after the draft scores have been calculated, but before the RTCC and RTAC must vote on approval of the Regional Impact local input points
- Then, the RTCC and RTAC will adopt Regional Impact category local input point assignments at one of their regular meetings
- NCDOT will announce the projects receiving funding in the Regional Impact category
- Next, TARPO staff will adjust the draft point assignments if needed in accordance with the cascading policy discussed above
- Finally, the RTCC and RTAC will adopt Division Needs category local input point assignments at one of their regular meetings

At the conclusion of this process, NCDOT will release a draft Statewide Transportation Improvement Program (STIP) based on the outcome of the Prioritization process.

Adoption

A motion was made by _____ and seconded by _____ for the adoption of this policy, and upon being put to a vote it was duly adopted on _____.

Chair, Triangle Area RPO RTAC

Secretary, Triangle Area RPO RTAC



**DISCUSSION ON FTA FUNDING OPPORTUNITIES
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

1/12/2024

MEMO DETAILS:

The SMPO is eligible for roughly \$1M in combined 5303, 5339, and 5307 funds. Jennifer Hibbert (NCDOT's FTA funding expert) will present on the possible use and process of using these funds.



**PRESENTATION OF PUBLIC PARTICIPATION PLANS
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

1/12/2024

MEMO DETAILS:

The SMPO, per 23 CFR 450.316 as referenced below, is required to develop a public participation plan. Scott Walston has provided copies of public participation plans used by other MPOs.

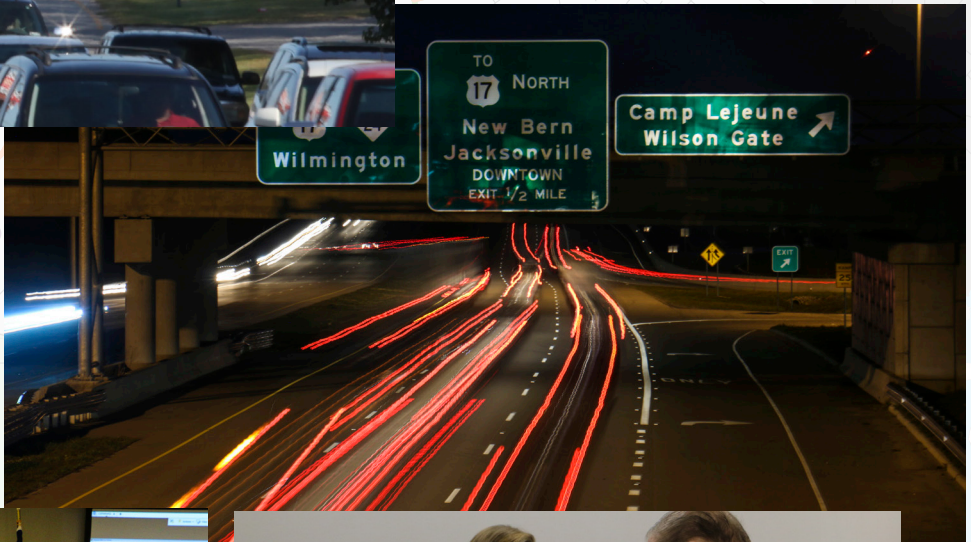
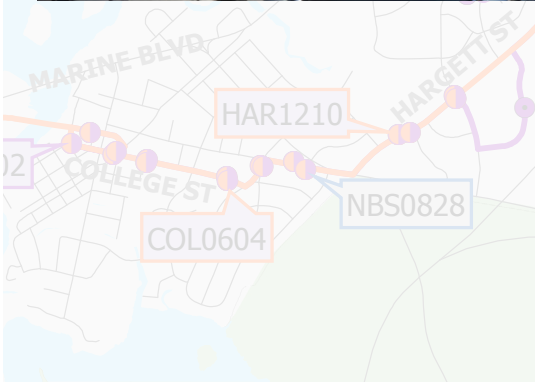
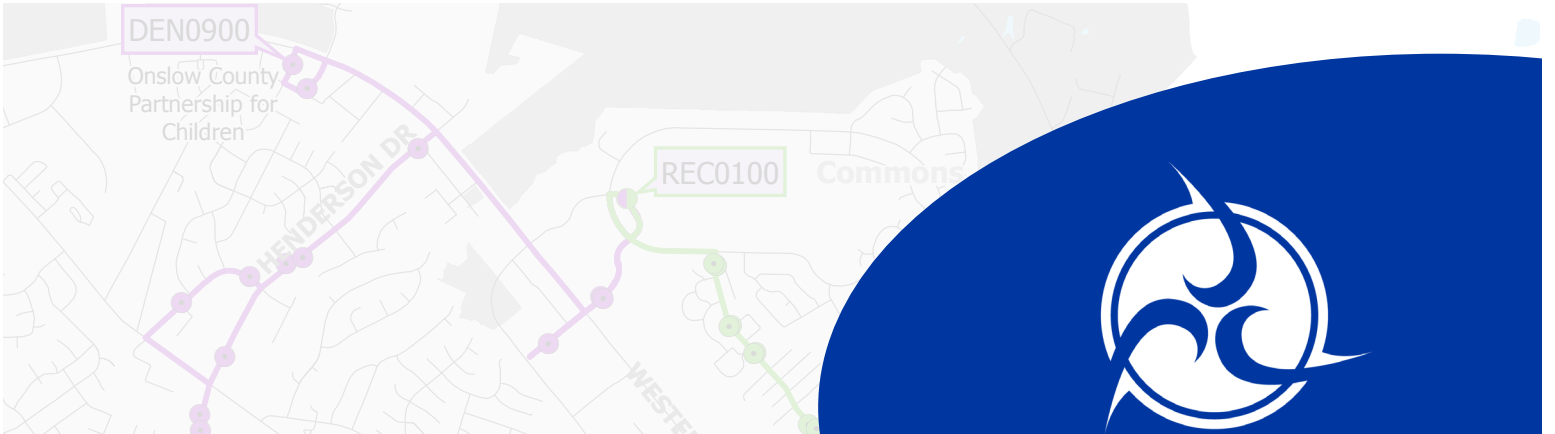
eCFR :: 23 CFR 450.316 -- Interested parties, participation, and consultation.

ATTACHMENTS:

Description

- ☐ JUMPO PPP
- ☐ New Bern MPO PPP
- ☐ CRMPO PPP

Public Participation Plan 2017



The Jacksonville Urban Area MPO (JUMPO) strives to ensure an open transportation planning process where the free exchange of ideas and information and the opportunity for input from interested parties at all stages of the transportation planning process can take place in an effective manner. The purpose of this plan is to outline the public participation process required for the successful completion, adoption and implementation of JUMPO plans and programs. This plan also serves as the required Public Participation Plan for Jacksonville Transit.

The Public Participation Plan (PPP) defines the process for providing individuals, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool programs, vanpool programs, transit benefit programs, parking cash-out programs, shuttle programs, or telework programs), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process.

Key components of the PPP include:

- Providing adequate notice of public participation activities and time for public review and comment
- Providing timely notice and reasonable access to information about transportation issues and processes
- Employing visualization techniques
- Making information available on the web
- Holding public meetings at convenient and accessible locations and times
- Demonstrating explicit consideration and response to public input
- Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households
- Providing an additional opportunity for public comment if the final document differs significantly from the draft version
- Coordinating with the statewide transportation planning process
- Consultation with agencies and officials responsible for other planning activities
 - State and local planned growth
 - Economic development
 - Tourism
 - Natural disaster risk reduction
 - Environmental protection
 - Airport operation
 - Freight
 - Federal lands management agencies
 - Other governmental and non-profit agencies

The PPP shall be reviewed periodically by MPO staff, the Transportation Advisory Committee (TAC), and the Technical Coordinating Committee (TCC) to ensure a full and open process that is inclusive of all interested parties and conforms to federal transportation regulations is being followed. There will be a 45-day minimum public

review period for the PPP if changes have been made since the last opportunity for public review or if the Public Participation Plan has not been reviewed in the past three (3) years.

There are several laws and regulations that have been established by the Federal government to ensure the transportation planning process remains open and in the public interest. The following is a listing of federal legislation and regulations that guide the public participation process:

Fixing America's Surface Transportation Act (FAST Act) (PL 114-94) emphasizes participation by interested parties in the transportation plan:

- A In General: Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs), representatives of users of public transportation, representatives of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.
- B Contents of Participation Plan:
 - (1) A participation plan shall:
 - (a) be developed in consultation with all interested parties; and
 - (b) provide that all interested parties have reasonable opportunities to comment on the contents on the transportation plan.
- C Method:
 - (1) In carrying out subparagraph A, the metropolitan planning organization shall, to the maximum extent practicable:
 - (a) hold any public meetings at convenient and accessible locations and times;
 - (b) employ visualization techniques to describe plans; and
 - (c) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph A.

National Environmental Policy Act: The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) regulations implementing the National Environmental Policy Act (NEPA) of 1969 (as amended) outline requirements to go through an environmental review process for implementing projects from a TIP. NEPA has its own set of public participation requirements for review period and notification of interested parties on a project basis. These requirements are not a substitute for earlier participation at the planning and programming stages.

Americans with Disabilities Act of 1990: The Americans with Disabilities Act (ADA) of 1990 encourages the participation of people with disabilities in the development and improvement of transportation and paratransit plans and

services. Also in accordance with ADA guidelines, all meetings conducted by the MPO will take place at locations which are accessible facilities so as to accommodate persons with mobility limitations.

Title VI – Environmental Justice: Title VI of the Civil Rights Act of 1967 sets standards which authoritatively outlawed discrimination in the conduct of all Federal activities. The term Environmental Justice (EJ) was created by people concerned that everyone within the United States deserves equal protection under the country's laws. A 1994 Presidential Executive Order directed every Federal agency to make Environmental Justice (EJ) part of its mission by identifying and addressing the effects of all programs, policies, and activities on "minority populations and low-income population." The U.S. Department of Transportation (DOT) issued its DOT Order to Address Environmental Justice in Minority Population and Low-income Population in 1997. The DOT Order accomplishes this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety and mobility.

FTA Circular 9030.1E Chapter 5, Section 6C: Federal transit law and joint FHWA/FTA planning regulations governing the metropolitan planning process require a locality to include the public and solicit comment when the locality develops its metropolitan long-range (twenty-year) transportation plan and its (four-year) metropolitan TIP. Accordingly, FTA has determined that when a recipient follows the procedures of the public involvement process outlined in the FHWA/FTA planning regulations, the recipient satisfies the public participation requirements associated with development of the Programming of Projects (POP) that recipients of Section 5307 funds must meet.

1. General

The Jacksonville Urban Area MPO has developed policies, procedures, and techniques that will be used to ensure opportunities for participation of the public. Some types of projects or plans require specific actions while other activities may require a more versatile set of outreach options. JUMPO will strive to incorporate the policies and techniques listed below as well as other procedures as appropriate.

The Jacksonville Urban Area MPO will maintain copies of any plans, programs or amendments on file in its offices. Copies of the proposed plans, programs or amendments shall be distributed to all TCC and TAC members. This same information shall be made available to any interested party on the JUMPO website or upon request. The following outreach methods may be utilized to notify the public of new documents or public comment periods:

- a) A notice with a link to online documents placed on the website;
- b) Notification that new documents are available for public review be placed on social media sites;
- c) A notice published in at least one local newspaper with regional circulation shall be advertised indicating that plans, programs or amendments have been prepared and

- are available for public review and comment at all MPO member jurisdictions. The public review period shall be no less than 25 calendar days. Contact information for an MPO staff person shall be included in the public notice;
- d) Media notifications using the City of Jacksonville media contact list (approximately 8 news agencies covering printed media, television, and radio as well as 12 other media related contacts); and additional regional newspapers and non-government organizations representing other interested parties as deemed appropriate;
 - e) Both the TCC and TAC shall have an open formal public comment period at the beginning of each regularly scheduled board meeting;
 - f) Innovative methods to be utilized where possible to inform and involve the public in the transportation planning process. Such methods may include, but are not limited to: digital and paper maps, collages and photomontages, meetings at public gathering places such as malls or libraries, television and radio public service announcements, open house forums & public workshops, project specific web pages, PowerPoint presentations, and other visualization techniques where possible;
 - g) Member jurisdictions involved in the development or amendment of any plan or program may also notify citizens of the opportunity for public comment during regularly scheduled board and council meetings as well as through distributing notification to citizen contacts via email;
 - h) These general guidelines apply to the development or amendment of any plan or program administered by the Jacksonville Urban Area MPO. Additional requirements for the Metropolitan Transportation Plan, Transportation Improvement Program, and Program of Projects are described in this document. This Public Participation Plan shall be available for public information upon request and will remain viewable by the public on the website and in the offices of the Jacksonville Urban Area MPO.

2. JUMPO TAC and TCC Committee Meetings

Meetings of the TAC and TCC are open to the public. The schedule of meetings and past meeting materials are available on the MPO's website. Prior to each meeting, a contact list of interested parties receives reminder notices, meeting agendas, and other material. (To join this list, please contact a JUMPO staff member.) Persons with disabilities needing auxiliary aids or services are requested to contact the MPO office 48 hours in advance of a meeting to make appropriate arrangements for their attendance.

3. Metropolitan Transportation Plan (MTP)

The development of the MTP and all amendments shall meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and North Carolina Department of Transportation (NCDOT) requirements for public participation. The MTP shall be open to public review and comment for a minimum of 25 calendar days prior to JUMPO approval. In addition to those outlined in this plan, development of the MTP may consider the following opportunities for public participation:

- a) Outreach
 - 1) Dissemination of newsletters and summaries;
 - 2) Development of public information on a dedicated website;
 - 3) Use of social media to provide timely updates
 - 4) Open public meetings to receive public comment;
 - 5) Member jurisdictions involved may also notify citizens of public meetings and opportunity for public comment during regularly scheduled board and council meetings as well as distributing notification to community contacts via email;
 - 6) Dissemination of media notifications to public news agencies in the JUMPO area;
- b) Opportunity for public comment on the Draft MTP will be made available during at least one TCC and one TAC meeting, the latter serving as a public hearing;
- c) The draft MTP shall be open to public review and comment for no less than 25 calendar days prior to approval by the TAC. The draft plan shall be advertised using the methods established in this plan.
- d) Amendments to the MTP shall be categorized as Formal or Administrative. Formal amendments impact the fiscal constraint of the document through the addition or deletion of projects or major revisions to project cost and will follow the PPP to solicit public participation in the modification of the plan. Administrative modifications are clerical in nature with no fiscal impact and not subject to the PPP.

4. Transportation Improvement Program (TIP)

The development of the TIP and all amendments shall meet all current FHWA, FTA and NCDOT requirements for public notification and participation. In addition, there will be a formal public comment period throughout the process, including the development of the draft project priority list and assignment of local input prioritization points. This comment period will be an opportunity for interested parties to comment on the project priorities and the method(s) used to derive them.

In addition to those outlined in this plan, development of the TIP may consider the following opportunities for public participation:

- a) A 25 calendar day minimum public review and comment period will be established for the Draft TIP;
- b) At least one public meeting will be held to provide information about the document and the projects included;
- c) Amendments to the TIP shall be categorized as Formal or Administrative.
 - 1) Formal amendments will follow the PPP and solicit public participation in the modification of the program.
 - i) Required when changes in the first four years of the document cause:
 - (1) Addition of a project
 - (2) Deletion of a project
 - (3) Changes in project cost beyond a predetermined amount
 - (a) \$2 million AND 25% of original cost for highway projects
 - (b) \$1 million OR 25% of original cost for transit projects
 - (4) Major changes in design concept or scope

- 2) Administrative modifications are clerical in nature and not subject to the PPP.
- d) Jacksonville Transit coordinates the development of the Programming of Projects (POP) with the MPO to ensure that the public is aware that the TIP development process is being used to satisfy the POP requirements. All public notices will contain an explicit statement that associated public participation activities and comment periods fulfill FTA POP requirements.

1) Sample Newspaper Notification:

Public input is being solicited on a draft (INSERT DATES HERE) Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) Transportation Improvement Program. The draft is available online at jumpo-nc.org or in print at Jacksonville City Hall – 815 New Bridge Street. Comments must be received on or before (INSERT DATES HERE). The Transportation Advisory Committee (TAC) will meet on (INSERT DATES HERE). Additional information regarding transportation initiatives may be found at www.jumpo-nc.org or by contacting: JUMPO, PO Box 128, Jacksonville, NC 28541-0128, 910-938-1732, jumpo@jacksonvillenc.gov

Public involvement activities outlined by the adopted JUMPO Public Participation Plan fulfill requirements of the Federal Transit Administration public involvement process and Federal Highway Title VI compliance plan for Jacksonville Transit and the MPO. TIP public participation activities and review period fulfills annual Programming of Project (POP) obligations for Jacksonville Transit. The draft TIP is final unless modified following the public input portion of the TAC meeting.

5. Publication of Jacksonville Transit Program of Projects (POP)

Annually, the MPO will publish a POP on behalf of Jacksonville Transit to ensure the public is aware of federal expenditures, and associated public transportation activities, planned for each fiscal year. The POP will be published on the MPO web page and will also be available in print format at Jacksonville City Hall. Upon initial publication, a notice will be issued in at least one local newspaper with regional circulation. During fiscal years where the MPO amends an existing or adopts a new TIP, publication of a separate POP is not required. It is intended that the process utilized to adopt and/or modify the TIP also satisfies annual POP publication requirements.

a) Sample Newspaper Notification:

In accordance with Federal Transit Administration regulations, the Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) has published an annual Program of Projects on behalf of Jacksonville Transit for Fiscal Year (INSERT DATES HERE). The POP is available online at jumpo-nc.org or in print at Jacksonville City Hall – 815 New Bridge Street. Additional information regarding public transportation initiatives funded within the POP may be obtained by contacting: JUMPO, PO Box 128, Jacksonville, NC 28541-0128, 910-938-1732, jumpo@jacksonvillenc.gov

Public involvement activities outlined by the adopted JUMPO Public Participation Plan fulfill requirements of the Federal Transit Administration public involvement process for Jacksonville Transit. The published POP is final unless modified by the JUMPO Transportation Advisory Committee.

6. Common Transportation Terms and Acronyms

Modern transportation planning is a comprehensive process that is filled with an ever increasing array of policies, boards, and agencies that all work to meet the transportation needs of the public. A list of common transportation planning related terms and acronyms has been included as Appendix B to assist interested parties in the transportation planning process.

Appendix A

Outreach Techniques

The Public Participation Plan of the JUMPO ensures participation opportunities for interested parties by using a number of outreach techniques to organizations and individuals working through media outlets, the internet, flyers and word of mouth to raise awareness of issues, to schedule meetings, and to provide opportunities and outlets for review and comments. Distribution to media outlets primarily serving low income and minority groups is also emphasized.

Committee Meetings:

Meetings of the TAC and TCC are open to the public and meeting minutes are available to the public. The schedule of meetings and past meeting minutes are available on the MPO's website. Prior to each meeting, a contact list of interested parties receives reminder notices, meeting agendas, and other material. (To join this list, please contact a JUMPO staff member.) Persons with disabilities needing auxiliary aids or services are requested to contact the MPO office 48 hours in advance of a meeting to make appropriate arrangements for their attendance.

Transportation Planning Forums:

JUMPO staff and the staff of other entities of the MPO may participate in transportation planning forums to obtain information at the time of creating or revising plans and programs such as the MTP and the TIP. The forums will be held in locations that are dispersed throughout the MPO area.

Transportation Focus Groups:

From time to time the MPO may use transportation focus groups to discuss special transportation needs of communities. Examples include environmental justice, freight movement, corridor studies and other special projects involving targeted groups.

Advisory Groups:

JUMPO staff meets with boards and commissions advising participating local governments on transportation matters relating to land use, zoning, transit, bicycle and pedestrian issues, and goods movement. In addition, the MPO staff meets with associations representing different interest groups, such as Onslow United Transit System, Jacksonville-Onslow Chamber of Commerce, and several groups associated with MCB Camp Lejeune and MCAS New River.

Newsletter:

JUMPO will utilize periodic printed and electronic newsletters to provide information on transportation planning activities. Newsletters will be distributed to the addresses on the e-mailing list and through the MPO's website www.jumpo-nc.org

Informational Material:

Informational material is a key component of the public participation process. The pamphlets and brochures published by the MPO provide information on the MPO composition, transportation planning process, and major documents and data produced by the MPO.

JUMPO Website:

The JUMPO website is a comprehensive library of MPO documents and activities. The website provides information on the MPO committee members, publications, meeting calendars, and links to other useful transportation planning websites. Visitors can use the website to stay informed and involved in the region's transportation planning process as well as submit comments and questions about JUMPO activities.

MPO Speakers:

The MPO provides speakers to civic organizations, clubs, schools, neighborhood associations, and other organizations who would like to know the transportation planning function of the MPO. The speakers provide information on the purpose, process, and products of the MPO and seek continued participation and comments from the public.

Targeted Activities for Traditionally Under-Served Communities:

Contacts with traditionally under-served communities are very important. The MPO contacts minorities, disabled and other traditionally under-served communities to exchange information regarding transportation planning.

Written Correspondence:

The MPO receives letters and comments from the public on a regular basis. These letters are always read and answered. This is an invaluable tool for maintaining an ongoing relationship with those members of the public motivated to write. Correspondents are placed on the mailing list.

News Releases:

At times, the MPO will distribute news releases to local media contacts including radio stations, television stations, and newspapers.

Public Access Channel:

The MPO posts its activities on the City of Jacksonville's television channel (G10TV).

Social Media:

The MPO will make use of social media (Facebook, Twitter, Instagram, etc.) to provide information on plans, projects, studies, meetings, and other opportunities for the public to comment and provide feedback.

Surveys:

Surveys provide an opportunity for public feedback with a minimum of time commitment. These are valuable for gaging opinions to assist with transportation planning decisions. Surveys will typically be posted on the website.

Appendix B

Common Transportation Definitions & Acronyms

ADA – Americans with Disabilities Act – Civil Rights legislation which requires accessibility of facilities and programs

CTP – Comprehensive Transportation Plan - long range, non-fiscally constrained multi-modal transportation plan that identifies regional transportation needs.

FAST Act – Fixing America’s Surface Transportation Act was signed into law on December 4, 2015 replacing MAP-21. The FAST Act builds on the changes brought about by MAP-21. It is the first long-term surface transportation authorization enacted in a decade and funds surface transportation programs for fiscal years 2016 through 2020.

FHWA – Federal Highway Administration - an agency of the U.S. Department of Transportation responsible for highways, bridges and ferries. Also responsible for ensuring ADA compliance within the public right-of-way.

FTA – Federal Transit Administration - an agency of the U.S. Department of Transportation responsible for transit systems.

ISTEA – Intermodal Surface Transportation Efficiency Act “Ice Tea” - landmark federal legislation signed into law in December 1991 called for broad changes in the way transportation decisions are made. ISTEA emphasized diversity and balance of modes, as well as the preservation of existing systems before construction of new facilities. Replaced by TEA-21.

ITS – Intelligent Transportation Systems - an integrated network of computer, electronics, communications technologies and management strategies to provide traveler information that increases the safety and efficiency of the transportation system. ITS also provides useful, real-time information to system operators. Goals of ITS are to increase safety and capacity while reducing congestion and air pollution.

JUMPO – Jacksonville Urban Area Metropolitan Planning Organization – established in 1983 to conduct comprehensive transportation planning for the designated planning area.

JUMPO Planning Area – an area of approximately 188 square miles in Onslow County that includes the Jacksonville metropolitan area, MCB Camp Lejeune and MCAS New River.

LOS – Level of Service – describes the volume of traffic in relation to the capacity of a transportation facility. LOS is defined by six categories ranging from “LOS A”, denoting free flow conditions, to “LOS F”, denoting fully congested conditions.

MAP- 21 – Moving Ahead for Progress in the 21st Century – was signed into law on July 6, 2012, replacing SAFETEA-LU. A two-year bill, it completely reorganized the federal funding categories to streamline project delivery. Replaced by the FAST Act.

MPO – Metropolitan Planning Organization – a federally required planning body responsible for the continuing, cooperative and comprehensive (“3-C”) transportation planning and project selection in its region. An MPO provides a forum for cooperative decision making for the metropolitan planning area. The governor designates an MPO in every urbanized area with a population of more than 50,000. JUMPO has been designated this area’s MPO by the governor of North Carolina.

MSA – Metropolitan Statistical Area - an area defined by the Office of Management and Budget as a federal statistical standard. An area qualifies as an MSA in one of two ways: if there is a city of at least 50,000 in population, or an urbanized area of at least 50,000 population and a metropolitan population of at least 100,000. An MSA must contain a county with the main city and may include additional counties that meet specific criteria concerning economic and social ties to the central city. The Jacksonville MSA area is all of Onslow County.

MTP – Metropolitan Transportation Plan - a federally required, fiscally constrained long range transportation plan with a twenty-year horizon that identifies area transportation needs in light of projected growth patterns. It addresses all modes as well as operations and maintenance of existing systems. It charts major capital investments for transportation system development to meet these projected needs.

NCDOT – North Carolina Department of Transportation - state agency responsible for all different aspects and types of transportation throughout North Carolina.

NEPA – The National Environmental Policy Act of 1969 - basic national charter for protection of the environment. It established procedures that all federal agencies are required to implement to ensure environmental consideration is a part of an agency’s decision-making process. NEPA requires all federal agencies to take into account environmental consequences when making decisions that could be considered “major federal actions.” Federal agencies must assess the environmental consequences of proposed actions and consider that information when making decisions. Applies to any project using federal funds.

POP – Programming of Projects – projects identified in the first-year program of an approved STIP that utilize FTA funding resources.

PPP – Public Participation Plan - a planning document that explains the way JUMPO will engage and encourage participation in the transportation planning process with interested parties such as the public, resource agencies, and planning partners.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users - was signed into law August 10, 2005, replacing TEA-21 legislation after it expired. Continued providing for transportation facilities and programs throughout the U.S. Replaced by MAP-21.

SPOT – Strategic Planning Office of Transportation – NCDOT office responsible for the strategic prioritization process for prioritizing major transportation projects

STI – Strategic Transportation Investments Act – signed into NC law in 2013 to fund and prioritize transportation projects to ensure they provide the maximum benefit to the state.

STIP – State Transportation Improvement Program - the federally required programming document for funding of projects expected over the next four years from all sources for transportation projects of all types in North Carolina. It includes illustrative projects for an additional three years.

STBGP – Surface Transportation Block Grant Program – a federal funding program for roads that may be used for any roads that are not functionally classified as local or rural minor collectors. Funds may be used for a wide variety of purposes.

TAC – Transportation Advisory Committee - a JUMPO committee, comprised of officials from the governing bodies of JUMPO member jurisdictions as well as a member of the NC Board of Transportation. The TAC provides policy direction for the transportation planning process for the Jacksonville Urban Area Metropolitan Planning Organization.

TCC – Technical Coordinating Committee - a JUMPO committee, comprised of a broad representation of JUMPO member organizations and advisory groups. The TCC reviews the plans, programs, studies and documents related to the transportation planning area and makes recommendations to the TAC.

TEA-21 – Transportation Equity Act for the 21st Century - replaced the previous ISTEA legislation and included provisions to guarantee funding for highway and transit programs through FY2003. It represented the largest public works act in U.S. history at the time of its passage on June 9, 1998. Replaced by SAFETEA-LU.

TIP – Transportation Improvement Program – the federally required programming document for funding of projects expected over the next four years from all sources for transportation projects of all types in the JUMPO region. JUMPO prepares the TIP every two years based on information submitted by local and state governments. It can also be referred to as the Metropolitan Transportation Improvement Program (MTIP).

U.S. DOT – United States Department of Transportation is the federal cabinet-level agency with responsibility for all modes of transportation (highways, mass transit, rail, motor carrier, aviation, bicycle, pedestrian, and ports). It is headed by the Secretary of Transportation.

Appendix C TITLE VI Policy and Documents

[Title VI Policy Statement – Jacksonville MPO](#)

It is the policy of the Jacksonville Metropolitan Planning Organization to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Date

For more information contact:

Title VI/EO Coordinator
Jacksonville MPO
815 New Bridge Street
PO Box 128
Jacksonville, NC 28541-0128
910-938-5200
jumpon@ci.jacksonville.nc.us

Título VI Declaración de Política – Jacksonville MPO

Es política del Jacksonville MPO garantizar que ninguna persona, por motivos de raza, color, sexo, edad, origen nacional, o discapacidad, sea excluido de participar en, sea negado los beneficios de, o ser sujeto de otra manera a discriminación bajo cualquier programa o actividad a lo dispuesto en el Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, y cualquier otra relacionada con la no discriminación, derecho civil y las autoridades.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Fecha

Para más información contactar:

Titulo VI/EO Coordinador
Jacksonville MPO
815 New Bridge Street
PO Box 128
Jacksonville, NC 28541-0128
910-938-5200
jumbo@ci.jacksonville.nc.us

Standard Jacksonville MPO Title VI Assurances

The Jacksonville MPO (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and the North Carolina Department of Transportation it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Departments of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway Program:

1. That the Recipient agrees that each “program” and each “facility” as defined in subsections 21.23 (b) and 21.23 (e) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and, in adapted form in all proposals for negotiated agreements:

The NCDOT in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Supplement A of this assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Supplement B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Supplement C of this assurance, as a covenant running with land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient Departments of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Date

Supplement A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

(1) **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, “DOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, age, sex, color, disability, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Supplement B of the Regulations.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to nondiscrimination on grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Jacksonville MPO, North Carolina Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Jacksonville MPO, the North Carolina Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the Jacksonville MPO and North Carolina Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the North Carolina Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Jacksonville MPO, City of Jacksonville and North Carolina Department of Transportation to enter into such litigation to protect the interests of the City of Jacksonville, North Carolina Department of Transportation, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Supplement B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Jacksonville MPO, as authorized by law, and upon the condition that the North Carolina Department of Transportation will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal-Aid for Highways and the policies and procedures prescribed by Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the state of North Carolina all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto state of North Carolina and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the state of North Carolina, its successors and assigns.

The state of North Carolina, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, age, sex, color, disability, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and]* (2) that the state of North Carolina shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

Supplement C

The following clauses shall be included in all deeds, licenses, leases, permits or similar instruments entered into by the Jacksonville MPO pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Jacksonville MPO -Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to terminate the {license, lease, permit, etc.} and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of North Carolina and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the North Carolina Department of Transportation pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add “as a covenant running with the land”) that (1) no person on the ground of race, sex, age, color, disability, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, sex, age, color, disability, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of

Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of North Carolina and its assigns.

Supplement D

Jacksonville MPO's Title VI Notice to Public

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast program information in the news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by transportation projects.

The Jacksonville MPO hereby gives public notice that it's the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, Executive Order 13166 *Improving Access to Services for Persons with Limited English Proficiency*, and related nondiscrimination statutes and regulations in all programs and services. It is the Department's policy that no person in the United States shall, on the grounds of race, color, sex, age, income status, national origin, or disabilities be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, activities, or services for which Jacksonville MPO receives Federal financial assistance.

Any person who believes they have been mistreated by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the Jacksonville MPO. Any such complaint must be in writing or in person with **Jacksonville MPO, Title VI Coordinator, PO Box 128, Jacksonville, NC 28541**, within one hundred eighty (180) days following the date of the alleged discrimination occurrence. Title VI Discrimination Complaint forms may be obtained from the Office of Civil Rights at no cost by calling **910-938-5200**, or via internet at jumpo@ci.jacksonville.nc.us.

Jacksonville MPO's Título VI Comunicación Pública

El Departamento de Justicia de regulaciones de EU, Código 28 de Regulaciones Federales, Sección 42.405, Difusión Pública del Título VI de la información, exigen que el beneficiario de la ayuda financiera del gobierno federal publique o difunda la información del programa a los medios de comunicación. Los anuncios deben indicar que el programa es un programa de igualdad de oportunidades y / o indicar que la ley federal prohíbe la discriminación. Además, deben tomarse pasos razonables para publicar la información en los idiomas de la población a la cual servirán, o que puedan ser directamente afectadas por los proyectos de transporte.

El Jacksonville MPO notifica públicamente que es política del Departamento asegurar el pleno cumplimiento del Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, la Orden Ejecutiva 12898 Dirección Federal de Acciones para la Justicia Ambiental en Poblaciones minoritarias y poblaciones de bajos ingresos, la Orden Ejecutiva 13166 Mejorar el acceso a los Servicios para Personas con Inglés Limitado, y de los estatutos y reglamentos relacionados con la no discriminación en todos los programas y servicios. El Departamento está comprometido a ofrecer oportunidades de participación significativa en sus programas, servicios y actividades a las minorías, poblaciones de bajos recursos y personas que no dominan bien el idioma Inglés. Además, reconocemos la necesidad de evaluar el potencial de impactos a estos grupos a través del proceso de toma de decisiones, así como la obligación de evitar, minimizar y mitigar impactos adversos en los que son desproporcionadamente altos. Es política del Departamento que ninguna persona en los Estados Unidos, por motivos de raza, color, sexo, edad, nivel de ingresos, origen nacional o discapacidad sea excluido de la participación en, sea negado los beneficios de, o sea de otra manera sujeto a discriminación bajo cualquier programa, actividades o servicios para los que Jacksonville MPO recibe asistencia financiera federal.

Cualquier persona que crea haber sido maltratada por una práctica discriminatoria ilegal en virtud del Título VI tiene derecho a presentar una queja formal con JACKSONVILLE MPO. Cualquier queja debe ser por escrito o en persona con **Jacksonville MPO, Title VI Coordinador, PO Box 128, Jacksonville, NC 28541**, dentro de los ciento ochenta (180) días siguientes a la fecha en que ocurrió la supuesta discriminación. Los formatos de quejas por discriminación del Título VI pueden obtenerse en la Oficina de Derechos Civiles sin costo alguno o llamando al **910-938-5200**, o a través de Internet en jumpo@ci.jacksonville.nc.us.

Supplement E

Title VI Voluntary Public Involvement Form – Jacksonville MPO

Completing this form is **completely** voluntary. You are not required to provide the information requested in order to participate in this meeting.

Meeting Type: Location:	Date:
TIP No.: Project Description:	

In accordance with Title VI of the Civil Rights Act of 1964 and related authorities, the Jacksonville MPO assures that no person(s) shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any of the organization’s programs, policies, or activities, based on their race, color, national origin, disability, age, income, or gender.

Completing this form helps meet our data collection and public involvement obligations under Title VI and NEPA, and will improve how we serve the public. Please hand the completed form to a Jacksonville MPO staff person or mail it to the City of Jacksonville MPO, Title VI Coordinator at PO Box 128, Jacksonville, NC 28541-0128.

All forms will remain on file at the Jacksonville MPO as part of the public record.

Zip Code: _____	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Street Name: (i.e. Main Street) _____	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Total Household Income: <input type="checkbox"/> Less than \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 or greater	Disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No
Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____

For more information regarding Title VI or this request, please contact the Jacksonville MPO, Title VI Coordinator at (910) 938-5200 or by email at jumpos@ci.jacksonville.nc.us.

Thank you for your participation!

Título VI Encuesta De Participación Pública – Jacksonville MPO

El llenado de este formato es completamente voluntario. Usted no está obligado a proporcionar la información solicitada con el fin de participar en esta reunión.

Tipo de Reunión:	Fecha:
Lugar de la Reunión:	
TIP No.:	
Descripción del Proyecto:	

De conformidad con el Título VI del Acta de Derechos Civiles de 1964 y otras disposiciones de derechos civiles de la ley Federal estatutaria, el Jacksonville MPO asegura que ninguna persona(s) afectada por sus programas, políticas o actividades, quedarán excluidos de su participación en, negada de los beneficios de, o sometidos a la discriminación por motivos de raza, color, origen nacional, discapacidad, edad, ingresos o género.

Cumpla con sus obligaciones legales para la recopilación de datos y la participación del público en virtud del Título VI y NEPA. Por favor deposite el formato llenado en la casilla designada en la mesa de registro o envíe por correo a Jacksonville MPO, Title VI Coordinador at PO Box 128, Jacksonville, NC 28541-0128.

Los formatos completados serán guardados en los archivos de Jacksonville MPO como parte del registro público.

Código Postal: _____	Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Nombre de la Calle: (ej. Main Street) _____	Edad: <input type="checkbox"/> Menor de 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 o Mayor <input type="checkbox"/> 30-44
Ingreso Total del Hogar: <input type="checkbox"/> Menos de \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 o Mayor	Discapacidad: <input type="checkbox"/> Si <input type="checkbox"/> No
Raza/Etnicidad: <input type="checkbox"/> Blanco <input type="checkbox"/> Afro Americano <input type="checkbox"/> Asiático <input type="checkbox"/> Indio Americano/Nativo de Alaska <input type="checkbox"/> Nativo de Hawaii/Islas del Pacífico <input type="checkbox"/> Hispano/Latino <input type="checkbox"/> Otra (por favor especifique): _____	Nacionalidad de Origen: (Si nació fuera de los EU) <input type="checkbox"/> Mexicano <input type="checkbox"/> Centro Americano: _____ <input type="checkbox"/> Sudamericano: _____ <input type="checkbox"/> Puertorriqueño <input type="checkbox"/> Chino <input type="checkbox"/> Vietnamita <input type="checkbox"/> Coreano <input type="checkbox"/> Otro (por favor especifique): _____

Para más información relacionada con el Título VI o este proceso, por favor contacte a Jacksonville MPO Título VI al teléfono (910) 938-5200o por correo electrónico jumpo@ci.jacksonville.nc.us.
¡Gracias por su cooperación!

Supplement F

Discrimination Complaint Process

INTRODUCTION

The complaint procedures outlined herein apply to the Jacksonville MPO and other primary recipients and sub-recipients of Federal financial assistance. These procedures cover discrimination complaints filed under Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, and other nondiscrimination authorities relating to any program, services, or activities administered by the JACKSONVILLE MPO and its sub-recipients, consultants, and contractors.

The Jacksonville MPO will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority. The option of informal mediation meeting(s) between the affected parties and the OCR staff may be utilized for resolution. Upon completion of each investigation, the OCR staff will inform every complainant of all avenues of appeal.

PURPOSE

The purpose of the discrimination complaint procedures is to describe the process used by the Jacksonville MPO for processing complaints under Title VI of the Civil Rights Act of 1964, related statutes and authorities.

FILING OF COMPLAINTS

1. **Applicability** – The complaint procedures apply to the beneficiaries of the JACKSONVILLE MPO’s programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint with JACKSONVILLE MPO's Civil Rights Office. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI complaints may be submitted to the following entities:

- **Jacksonville MPO**, Title VI Coordinator, 815 New Bridge Street, PO Box 128, Jacksonville, NC 28541-0128, 910-938-5200
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing (see **“Complaint Form” in Appendix G**). Complaints will be accepted in other languages including Braille.
5. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White
Color	Color of skin, including shade of skin within a racial group	Black, White, light brown, dark brown, etc.
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and Men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic

INTERNAL COMPLAINT PROCESS

1. **Initial Contact** – As resources, OCR will provide complainants with an explanation of the filing options, information concerning the discrimination complaint process and a Title VI Discrimination Complaint Form.
2. **The Complaint Review Process**
 - a. The Title VI Section will review complaints upon receipt to ensure that relevant information is provided, the complaint is timely, and satisfies jurisdictional requirements.
 - b. All complaints shall be investigated unless:
 - The complaint is withdrawn;
 - The complainant fails to provide required information in a timely manner;
 - The complaint is not filed timely; and
 - Any issues that do not involve discrimination, or are not based on a protected basis will be directed to the appropriate entity. Under no circumstances will complainants be discouraged from filing a complaint.
 - c. The Title VI Section will investigate all complaints filed against Jacksonville MPO's contractors, subcontractors, consultants, and other sub-recipients.
 - d. Complaints filed against the JACKSONVILLE MPO will be forwarded to the appropriate federal agency for processing and investigation.
 - e. Upon determination that the complaint warrants an investigation, the complainant is sent a certified letter acknowledging receipt of the complaint within 10 days of receipt of the complaint. The name of the investigator is provided as well as the complainant's rights under Title VI and related statutes.
 - f. The respondent is notified by certified mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter identifies the investigator's name and informs the respondent that he/she will be contacted for an interview.

- g. A letter is sent to the Division Engineer when the complainant(s) or respondent(s) are located in a division office. If the parties are located in Headquarters, the manager will be informed that a complaint was filed; the letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.

INVESTIGATION

1. Investigative Plan

The investigator shall prepare an investigative plan that includes, but is not limited to the following:

- Complainant(s) name and address;
- Respondent(s) name and address;
- Applicable law(s);
- Basis for the complaint;
- Allegations, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Appropriate information needed to address the issue;
- Name of persons to be interviewed and issues of which they have first-hand knowledge;
- Questions for the complainant, respondent, and witness(es);
- Evidence to be obtained during the investigation; and
- Remedy sought by the complainant.

2. Conducting the Investigation

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained to the fullest extent possible.
- Interviews will be conducted to obtain the facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case that the witness can provide firsthand information.
- Interviews are taped/recorded with the interviewee's consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- The investigation working papers are completed, cross-referenced and indexed.
- The interviewee may have representation of his/her choice at the interview.

3. Informal Resolution

The Alternative Dispute Resolution (ADR) process is offered as an alternative for resolving Title VI complaints. During the investigative process, the investigator will make every effort to assist the parties with reaching a voluntary, negotiated resolution. During the initial interviews with the complainant and respondent, the investigator will request information regarding specifically requested relief and settlement opportunities. The attempts to resolve complaints using ADR are required by the Alternative Dispute Resolution Act of 1998.

4. Investigation Reporting Process

- Within 60 days of conducting the investigation, the investigator will prepare an investigative report and submit the report and supporting documentation to the Title VI Manager for review. The investigative report should include recommended decisions.
- The investigative report should outline the following complaint details: Date of written complaint, contract number, contractor and/or subcontractor name, and the complaint basis (race, color, national origin, etc).
- The Title VI Manager will review the file and investigative report. Subsequent to the review, the Title VI Manager will submit the investigative reports, investigative files, and recommended decisions to the Director of OCR.
- Upon the Director's approval, the investigative report and recommended decisions shall be forwarded to FHWA for a final agency decision.

RECORDS

All records and investigative working files will be maintained in a confidential area within the OCR. Records are kept for four years internally, and then archived for a period of ten years at the State Records Center.

Proceso de Quejas por Discriminación

INTRODUCCIÓN

Los procedimientos de quejas presentadas en este documento se aplican al JACKSONVILLE MPO y otros destinatarios principales y los sub-receptores que reciben ayuda Federal. Estos procedimientos se aplicarán a las quejas por discriminación presentadas en virtud del Título VI del Acta de Derechos Civiles de 1964, Ley de Restauración de Derechos Civiles de 1987, la Sección 504 del Acta de Rehabilitación de 1973, y autoridades de la no discriminación en relación con cualquier otro actividades, programa, o servicios administrados por el JACKSONVILLE MPO y sus sub-receptores, consultores y contratistas.

JACKSONVILLE MPO hará todo lo posible para obtener pronta resolución de las quejas en el nivel más bajo posible de administración. Denuncias de presunta discriminación serán investigadas por las autoridades competentes. La opción de reunión(es) de mediación informal entre las partes afectadas y el personal de OCR puede ser utilizada para su resolución. Al término de cada investigación, el personal de la OCR informará a cada demandante todas las vías de recurso.

PROPÓSITO

El propósito de los procedimientos de denuncia por discriminación es describir el proceso utilizado por la JACKSONVILLE MPO para tramitar las quejas en virtud del Título VI del Acta de Derechos Civiles de 1964, relacionados con los estatutos y las autoridades.

PRESENTACIÓN DE QUEJAS

1. **Aplicación** – Los procedimientos de queja aplican a los beneficiarios de los programas de la JACKSONVILLE MPO, actividades y servicios, incluyendo pero no limitando a la opinión pública, contratistas, subcontratistas, consultores y otros sub-receptores de fondos federales y estatales.
2. **Eligibilidad** – Cualquier persona o grupo de personas que crea haber sido objeto de discriminación o represalia prohibida por alguna de las autoridades de Derechos Civiles, basada en la raza, color, sexo, edad, origen nacional o discapacidad, puede presentar una queja por escrito a la Oficina de Derechos Civiles de la JACKSONVILLE MPO. La ley prohíbe la intimidación o represalias de ningún tipo. La denuncia podrá ser presentada por la persona afectada o un representante y debe ser por escrito.
3. **Plazos y opciones de presentación** – La queja debe ser presentada a más tardar 180 días naturales después de lo siguiente:
 - La fecha del supuesto acto de discriminación; o
 - La fecha en que la persona(s) se dió cuenta de la supuesta discriminación; o
 - Cuando ha sido un curso continuo de conducta, la fecha en que dicho comportamiento se interrumpió o en el último ejemplo de dicha conducta.

Título VI las quejas podrán presentarse a las siguientes entidades:

- **Jacksonville MPO**, Title VI Coordinator, 815 New Bridge Street, PO Box 128, Jacksonville, NC 28541-0128, 910-938-5200
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

Federal Aviation Administration, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. Formato de Quejas – Las denuncias deberán ser **por escrito** y **firmadas** por el denunciante (s) o un representante, e incluir el nombre del autor, dirección y número de teléfono. Las denuncias recibidas por fax o correo electrónico serán confirmadas y procesadas. Las denuncias recibidas por teléfono serán transcritas y proporcionadas al denunciante para la confirmación o su revisión antes de ser procesadas.

(Se consulte Appendix G). Quejas serán aceptadas en otros lenguajes, incluyendo Braille.

5. Fundamento de la Queja– Las denuncias deberán basarse en cuestiones relacionadas con la raza, color, origen nacional, sexo, edad o discapacidad. El término "fundamento" se refiere a la pertenencia del autor de la queja en una categoría del grupo protegido.

Grupo Protegido	Definición	Ejemplos
Raza	Un individuo perteneciente a uno de los grupos raciales aceptados; o la percepción, basada generalmente en las características físicas de que una persona es miembro de un grupo racial.	Afro Americano, Hispano/Latino, Asiático, Indio Americano/Nativo de Alaska, Nativo de Hawai/Islas del Pacífico, Blanco.
Color	Color de piel, incluyendo tono de piel dentro de un grupo racial.	Negro, blanco, moreno claro, moreno oscuro, etc.
Origen Nacional	Lugar de Nacimiento. La ciudadanía no es un factor. La discriminación basada en el idioma o acento de una persona también está cubierta por el origen nacional.	Mexicanos, cubanos, japoneses, vietnamitas, chinos.
Sexo	Género.	Mujer y hombre.
Edad	Personas de cualquier edad.	Personas de 21 años
Discapacidad	Disabilidad física o mental, permanente o temporal, o percibida.	Ciego, alcohólico, para- amputado, epilépticos, diabéticos, artríticos



Jacksonville MPO
DISCRIMINATION COMPLAINT FORM

Last Name:		First Name:		<input type="checkbox"/> Male
				<input type="checkbox"/> Female
Mailing Address:		City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address		
Identify the Category of Discrimination:				
<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> NATIONAL ORIGIN	<input type="checkbox"/> AGE	
<input type="checkbox"/> RELIGION	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> SEX/GENDER		
Identify the Race of the Complainant				
<input type="checkbox"/> Black	<input type="checkbox"/> White	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian American	
<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native	<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Other _____	
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
Names of individuals responsible for the discriminatory action(s):				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation				
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).				
	Name	Address	Telephone	
1.				
2.				
3.				
4.				

DISCRIMINATION COMPLAINT FORM

Page 2

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- US Equal Employment Opportunity Commission _____
- Federal Highway Administration _____
- US Department of Transportation _____
- North Carolina Department of Transportation _____
- Federal or State Court _____
- Other _____

Have you discussed the complaint with any JACKSONVILLE MPO representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

<p>_____</p> <p>COMPLAINANT'S SIGNATURE</p>	<p>_____</p> <p>DATE</p>
--	---------------------------------

MAIL COMPLAINT FORM TO:
 Jacksonville MPO
 TITLE VI/EO CONTRACT COORDINATOR
 PO Box 128
 City Hall 815 New Bridge Street
 JACKSONVILLE, NC 28541-0128
 or call
 910-938-5200

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: NCDOT Date Referred: _____



Jacksonville MPO
FORMATO DE QUEJAS POR DISCRIMINACIÓN

Apellido:		Nombre:		<input type="checkbox"/> Hombre
				<input type="checkbox"/> Mujer
Dirección:		Ciudad	Estado	Código Postal
Teléfono de Casa:	Teléfono de Trabajo:	Dirección de correo electrónico		
Identificar la categoría de la Discriminación:				
<input type="checkbox"/> RAZA	<input type="checkbox"/> COLOR	<input type="checkbox"/> ORIGEN NACIONAL	<input type="checkbox"/> EDAD	
<input type="checkbox"/> RELIGIÓN	<input type="checkbox"/> DISCAPACIDAD	<input type="checkbox"/> SEXO/GÉNERO		
Identificar la Raza del Demandante				
<input type="checkbox"/> Afro Americano	<input type="checkbox"/> Blanco	<input type="checkbox"/> Hispano	<input type="checkbox"/> Asiático Americano	
<input type="checkbox"/> Indio Americano	<input type="checkbox"/> Nativo de Alaska	<input type="checkbox"/> Islas del Pacífico	<input type="checkbox"/> Otra _____	
Fecha y lugar de la acción discriminatoria alegada(s). Por favor, incluya la fecha más antigua de la discriminación y la fecha más reciente de la discriminación.				
Nombre de las personas responsables de la acción discriminatoria (s):				
¿Cómo fué discriminado? Describir la naturaleza de la acción, decisión, o condiciones de la supuesta discriminación. Explicar lo más claramente posible lo que ocurrió y por qué usted cree que su condición de protección (fundamento) fué un factor en la discriminación. Incluya de qué manera otras personas fueron tratadas de manera diferente a usted. (Si es necesario adjunte páginas adicional (es)).				
La ley prohíbe la intimidación o represalias contra cualquier persona porque él o ella ha tomado medidas, o ha participado activamente, para garantizar los derechos protegidos por estas leyes. Si usted siente que ha sido víctima de represalias, además de la supuesta discriminación, por favor explique las circunstancias a continuación. Explique qué medidas tomó usted que cree que fueron la causa de las supuestas represalias.				
Nombre de las personas (testigos, compañeros de trabajo, supervisores, u otros) que podemos contactar para obtener información adicional y apoyar o aclarar su queja: (Adjuntar pagina(s) adicional(es), si es necesario).				
	Nombre	Dirección	Teléfono	
1.				
2.				
3.				
4.				

FORMATO DE QUEJAS POR DISCRIMINACIÓN

Página 2

¿Ha presentado o tiene intenciones de presentar una queja con respecto a cualquiera de las siguientes cuestiones planteadas? En caso afirmativo, indique la fecha de presentación. Marque todas las que aplican.

- US Comisión de Igualdad de Oportunidades de empleo _____
- Administración de Carreteras Federales _____
- US Departamento de Transporte _____
- North Carolina Departamento de Transporte _____
- Corte Federal o Estatal _____
- Otros _____

¿Ha discutido la denuncia con algún representante de JACKSONVILLE MPO? En caso afirmativo, indique el nombre, puesto, y fecha de la discusión.

Por favor proporcione cualquier información adicional que considere usted pueda ayudar a una investigación.

Explique brevemente qué remedio, o acción, está usted buscando debido a la supuesta discriminación.

**** NO PODEMOS ACEPTAR QUEJAS SIN FIRMAR. POR FAVOR INCLUYA SU FIRMA Y FECHA EN EL SIGUIENTE FORMATO.**

_____ FIRMA DEL SOLICITANTE	_____ FECHA
---------------------------------------	-----------------------

ENVÍE SU FORMATO DE QUEJA A:

Jacksonville MPO
 TITLE VI/EO CONTRACT COORDINATOR
 PO Box 128
 City Hall 815 New Bridge Street
 JACKSONVILLE, NC 28541-0128
 or call
 910-938-5200

FOR OFFICE USE ONLY

Date Complaint Received: _____
 Processed by: _____
 Case #: _____
 Referred to: NCDOT Date Referred: _____



Jacksonville Urban Area
Metropolitan Planning Organization

Title VI JACKSONVILLE MPO Complaint Log

Date/ Time	Name	Contact Info	Complaint Date/Time	Nature of Complaint	Investigation Completion Date

Supplement G

JACKSONVILLE URBAN AREA METROPOLITAN PLANNING ORGANIZATION LIMITED ENGLISH PROFICIENCY PLAN

Jacksonville MPO focuses on making it easy and convenient for our clients to overcome any language barrier by receiving immediate response to their communications requirements. Jacksonville MPO believes in providing the most qualified, reliable, dependable and professional services available for our Non-English Speaking clients.

Jacksonville MPO has contracted with Fluent Language Solutions for the following services:

- Foreign Language Interpreting
- Sign Language (ASL) Interpreting
- Telephone Interpreting (Connected in 30 seconds or less)
- Video Interpreting for Deaf Communication
- Document Translating (Medical, Legal, Technical, Business)
- Services available in more than 190 difference languages
- Immediate Need 24 hours per day – 7 days a week – 365 days per week
- Licensed Interpreters

Quick service for telephone interpreting:

- DIAL 800-821-3420:
- Provide the operator with the access code: 230574
- On-Demand Foreign Language Interpreting
- Have the Non-English speaking person with you (or on another line)
- Foreign Language required and an interpreter will be connected

On-Site Interpreting

To schedule on-site interpreting services for Foreign or Sign Language contact Fluent Language Solutions and they will provide the services

Document Translation

To schedule document translation services or receive a free quote we contact the translations department at 704-532-7446 or 888-225-6056.

Jacksonville MPO

LEP Plan

Jacksonville MPO se centra en lo hacer fácil y conveniente para nuestros clientes para vencer cualquier barrera del idioma por respuesta inmediata recipiente a sus requisitos de comunicaciones. Jacksonville MPO cree en proporcionar el más calificado, seguro, fiable y profesional atiende a disponible para nuestro No-inglés que Habla a clientes.

Jacksonville MPO ha contratado con Soluciones con soltura de Idioma para los servicios siguientes:

- El Idioma Extranjero que Interpreta
- Firme el Idioma (ASL) Interpretando
- Telefonee Interpretar (Conectado en treinta segundos o menos)
- El video que Interpreta para la Comunicación Sorda
- Documento Traducir (Médico, Legal, Técnico, el Negocio)
- Los servicios disponibles en más de ciento noventa idiomas de diferencia
- La necesidad inmediata veinte cuatro horas por día – siete días por semana – trescientos sesenta cinco días a la semana
- Intérpretes licenciados

El servicio rápido para interpretar de teléfono:

LLAME 800-821-3420:

- Proporciona al operario con el código de acceso: 230574
- A solicitud el Idioma Extranjero que Interpreta
- Tenga el No-inglés que habla a persona con usted (o en otra línea)
- El Idioma extranjero requirió y un intérprete será conectado

Interpretar Local

Para planificar interpretar local los servicios para Extranjero o lenguaje por señas contacta Soluciones con soltura de Idioma y ellos proporcionarán los servicios

Document Translation

Para planificar los servicios de traducción de documento o recibir una cita libre que contactamos el departamento de traducciones en 704-532-7446 o 888-225-6056.

Supplement H**Title VI Data Collection Process – Jacksonville MPO**

The Jacksonville Metropolitan Planning Organization will collect and maintain data pertaining to race, color, sex, age, national origin and/or disability to ensure that no particular group is excluded from participation in, denied the benefits of and/or inordinarily impacted by the metropolitan transportation planning processes. Only regularly updated reputable sources of demographic data will be used to evaluate Title VI compliance. Collection, evaluation and display of demographic data will occur following the process outlined below:

1. Base year demographic data will come from the U.S. Decennial Census, collected by the Jacksonville MPO staff in ArcGIS and/or Microsoft Excel format.
2. Thematic base maps will be prepared showing the geographic distributions of race, age, sex, national origin and disability trends within the metropolitan area. Data represented on the base maps will also be available in tabular format to facilitate detailed analysis as needed.
3. Base maps will be updated biannually using American Community Survey data from the U.S. Census Bureau, supplemented by data from the North Carolina State Office of Budget and Management as needed.
4. Printed copies of each base map will be displayed in Jacksonville City Hall and available on the Jacksonville MPO web page for download.
5. More detailed base mapping and data collection may be needed to support specific transportation planning initiatives. The need for supplemental base mapping and data collection will be determined by the Jacksonville MPO Administrator in consultation with the NCDOT Office of Civil Rights.

Appendix D

Jacksonville Transit

Jacksonville Transit, a public transit system currently operated by the City of Jacksonville, North Carolina, is a recipient of Federal Transit Administration funds, specifically Section 5307. As such, Jacksonville Transit is required to have a Public Participation Plan in place to ensure that all interested parties have an opportunity to review and offer comments on federally funded transportation projects. FTA Circular 9030.1D encourages transit systems to rely on their local MPO's Public Participation Plan for the development of the Programming of Projects (POP) if the transit system operator has coordinated with the MPO to ensure that the public is aware that the MTIP development process is being used to satisfy the POP requirements. Consequently, it has been determined that JUMPO's Public Participation Plan satisfies Jacksonville Transit's public participation requirements if all public notices for MTIP development contain an explicit statement that associated public involvement activities and comment periods fulfill FTA POP requirements.

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Introduction

Public participation in the regional transportation planning process for the New Bern Area Metropolitan Planning Organization (MPO) is guided by this Public Involvement Plan (PIP). The plan outlines recommended methods to engage the public during the transportation planning and decision making process and informs members of the public how they can be involved.

Public participation is an integral part of the transportation planning process. The information and perspectives provided through the public participation assist decision-makers and lead to a more meaningful and comprehensive planning process. Good public participation techniques allow plans to identify issues and understand aspects of the transportation system directly from its users that may be missed when considering a project from a purely technical point of view. Effective transportation planning must include the participation of those whose everyday lives are affected by how they are able to get to work, home, school, stores, and services.

Access for All

The MPO strives to make the transportation planning process as inclusive as possible. Thus specific policies and plans have been developed to ensure sensitive populations are accommodated in the planning process. This includes the Title VI population, persons with a disability, the Limited English Proficiency (LEP) population, the Environmental Justice (EJ – low income and high minority) populations and other traditionally underserved groups.

Title VI

The MPO's Title VI Policy and Plan outlines responsibilities to ensure compliance with all civil rights laws and ensure that no person will – on the grounds of race, color, religion, age, gender, disability, national origin, or economic status – be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any MPO program or activity.

The MPO promotes the full and fair participation of all affected populations in the transportation decision making process. Any MPO information, educational materials, and transportation planning participation opportunities will be equally accessible to all people covered by Title VI. The Title VI Policy and Plan includes a complaint form and process for use by anyone who believes they have been discriminated against in the MPO operations. All Title VI complaints will be reviewed by the MPO Policy Board and used by MPO staff to improve the region's transportation planning process. The Title VI Policy and Plan can be accessed at: <http://www.nbampo.org/documents>.

Persons with a Disability

No one should be excluded from participating in the transportation planning process. To ensure

the location and setup of public meetings do not exclude people from participating, public meetings should be held in locations accessible by transit and in buildings compliant with the Americans with Disabilities Act (ADA).

Environmental Justice Population

The low-income and minority populations are traditionally underserved groups. As such the term Environmental Justice (EJ) zones was delineated in order to identify these groups. It is an MPO priority to communicate with these traditionally underrepresented and underserved groups and incorporate them into the planning process. The Strategies and Techniques section of this plan discusses how the MPO will conduct outreach to these specifically underrepresented groups.

What is an MPO?

Each urbanized area with a population of 50,000 people or more is required to have an MPO which acts as a liaison between local communities, their citizens, and the state and federal departments of transportation. MPOs are important because they help direct how and where available state and federal dollars for transportation improvements will be spent. The MPO also develops four core documents that create a regional vision for how the multimodal transportation system will function and grow – now and into the future. These documents have planning horizons dependent on their type of product and are displayed in Figure 1. These four documents will be further described in the MPO Core Documents section of this plan.

Figure 1

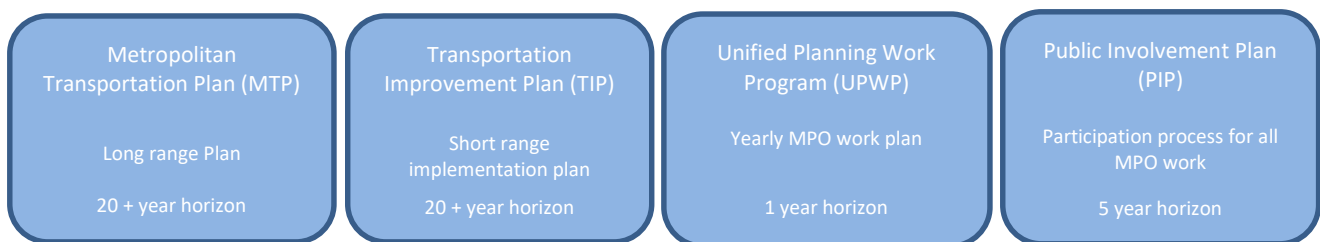
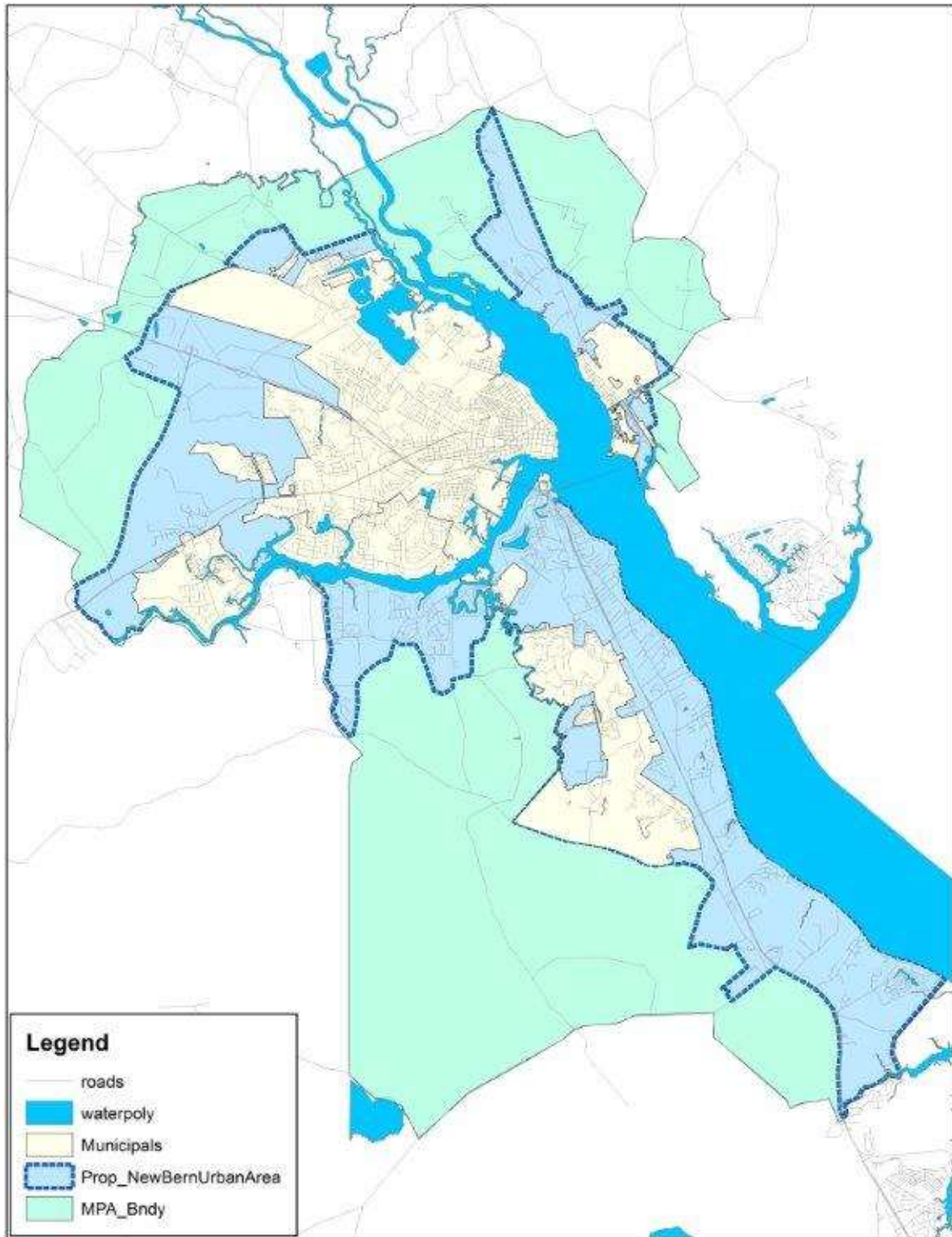


Figure 2 displays the geographic area covered by the MPO called the Metropolitan Planning Area (MPA). The MPO for our region includes portions of Craven County, the City of New Bern, the Town of Bridgeton, the Town of Trent Woods and the Town of River Bend.

Figure 2: New Bern Area Metropolitan Planning Area (MPA)



How do I Participate?

There are a variety of ways the public can participate in the transportation planning process:

Attend and contribute at open public meetings
(committees and community outreach events)
www.nbampo.org

Take a survey on our website at:
www.nbampo.org

Call us at 252.639.7592 – Kim Maxey
Call us at 252.639.7593 - Felicia McRee
7:00 a.m. to 4:00 p.m. Monday through Friday

Email us at:
maxeyk@nbampo.org
mcreef@nbampo.org

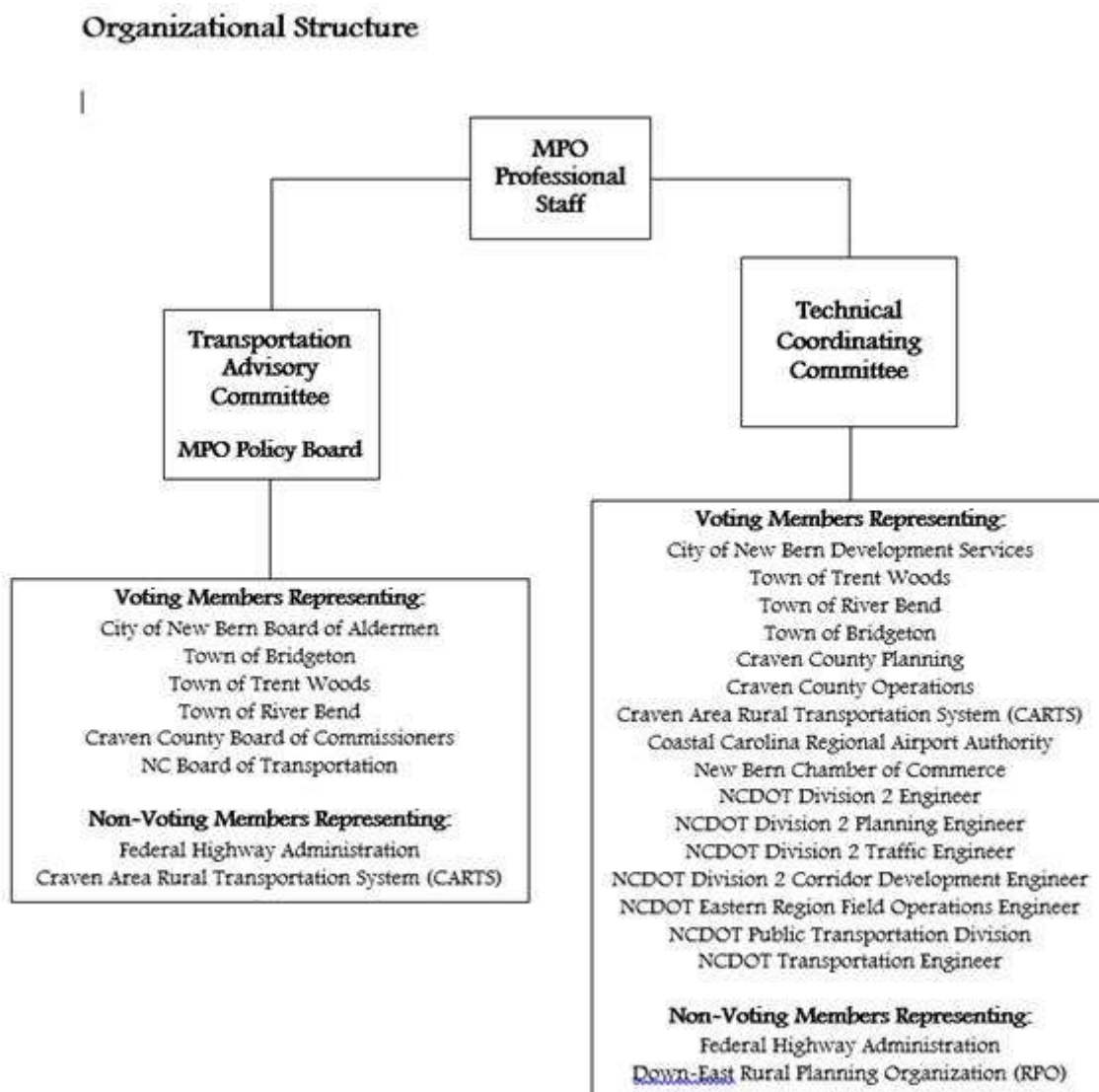
Review documents at the MPO office:
303 First Street
New Bern, NC 28560

Visit our website at: www.nbampo.org

MPO Structure

The MPO structure is composed of MPO staff, a Transportation Advisory Committee (TAC) and a Technical Coordinating Committee (TCC), along with several other advisory groups that may be formed from time to time to help the MPO staff with major projects. The MPO structure is shown in Figure 3. The number of official MPO advisory committees and their composition is determined by the MPO Transportation Advisory Committee and specified in the MPO bylaws. All of the MPO Board meetings are open to the public, agendas are posted online prior to the meeting, and public comment opportunities are provided at those meetings.

Figure 3: New Bern Area Metropolitan Planning Area Organization Structure



Metropolitan Planning Organization Transportation Advisory Committee (TAC)

www.nbampo.org/about-us/board-and-committees

The MPO Transportation Advisory Committee (TAC) is charged with maintaining a regional transportation planning process that is continuing, comprehensive and cooperative. The TAC is the final decision-maker in the MPO process. It has the authority to approve the regional transportation vision (included in the Metropolitan Transportation Plan) and then prioritize and choose projects (included in the Transportation Improvement Program and Unified Planning Work Program) to implement that vision.

The TAC is comprised of six voting members and serves as an important forum for cooperative decision making on transportation issues affecting the region. The six voting and three non-voting members of the MPO are listed below.

MPO TAC – Voting Members

- 1 City of New Bern Alderman;
- 1 Craven County Commissioner;
- 1 Bridgeton Commissioner;
- 1 River Bend elected official
- 1 Trent Woods elected official
- 1 North Carolina Board of Transportation Member

The TAC typically meets on the 4th Thursday of every other month at 11:00 a.m. at 303 First Street, New Bern, NC. Find the meeting schedule here: www.nbampo.org/documents/meeting-schedule

MPO TAC – Non-Voting Members

- 1 representative of the Federal Highway Administration
- 1 representative from the North Carolina Department of Transportation
- 1 representative from the Craven Area Rural Transit System (CARTS)

Metropolitan Planning Organization Technical Coordinating Committee (TCC)

The Technical Coordinating Committee (TCC) is the main advisory committee for the MPO Policy Board (TAC) and is made up of expert personnel from constituent agencies. These committee members advocate for their own community's interests, provide expert advice to board members, oversee studies, and assist MPO staff. The TCC is composed of seventeen voting members and two non-voting members as listed below.

TCC Voting Members

- City of New Bern – Development Services Director or designee
- City of New Bern – City Engineer
- Craven County – Planning Director or designee
- Craven County – Deputy Manager Operations or designee

- Bridgeton – Zoning Administrator or designee
- River Bend – City Manager or designee
- Trent Woods – Town Clerk or designee
- Coastal Carolina Regional Airport Authority – Airport Director or designee
- Craven Area Rural Transit System (CARTS) – Director or designee
- New Bern Chamber of Commerce – President or designee
- North Carolina Department of Transportation – Division 2 Engineer
- North Carolina Department of Transportation – Division 2 Planning Engineer
- North Carolina Department of Transportation – Division 2 Traffic Engineer
- North Carolina Department of Transportation – Corridor Development Engineer
- North Carolina Department of Transportation – Eastern Region Field Operations Engineer
- North Carolina Department of Transportation – Public Transportation Division (PTD)
- North Carolina Department of Transportation – Transportation Planning Division (TPD)

The TCC typically meets on the 2nd Thursday of every other month at 1:30 p.m. at 303 First Street, New Bern, NC. Find the meeting schedule here: www.nbampo.org/documents/meeting-schedule

TCC Non-Voting Members

- Federal Highway Administration
- Down East Rural Planning Organization (DERPO)

Typically, meetings of both the TCC and TAC boards will be held by an in-person format, with each member agency represented. In the event an in-person meeting cannot be accomplished, meetings may be conducted by one or more means of remote communication through which all of the Members may participate with each other during the meeting, if the number of Members participating is sufficient to constitute a quorum.

If electronic meetings are held, these updates and meeting information are posted on the NBAMPO website and social media pages, with guidance for the public in how to participate.

Coordination with Others

Interested Parties, Advisory Boards, Committees and Community Groups

The MPO works with a wide variety of project partners and interested parties to accomplish our planning goals. MPO staff continually reaches out to potential groups to include on the coordination efforts and subscription list.

The MPO boards include members that have regular interactions with the local neighborhood associations and local land developers. Through that web of professional contacts the MPO members and MPO staff keeps informed about the transportation concerns of various local stakeholders.

State and Local Resource Agencies

During the development of this Public Involvement Plan the MPO staff consulted with and took comments from a number of different agencies.

The MPO consults with the following groups when developing and/or modifying a TIP or MTP.

- State and Local Agencies dealing with planning functions for Economic Development, Planned Growth, Environmental Protection, Airport Operations, Freight Movements, Environmental Justice areas, Bicycle/Pedestrian and other planning activities affected by Transportation
- National Forestry Service if federal national forest lands exist in the area
- Federal Land Management Agencies if federal lands exist in the area

Stakeholder interviews may be held with these groups during the input/data gathering phase of MTP development. These groups are notified of opportunities to review and comment during the public comment process via email and their comments are documented and addressed before the final draft is considered by the MPO Policy Board.

The MPO is responsive to the requests and feedback received from our planning partners and incorporates and addresses comments as feasible before the final draft is considered by the MPO Policy Board.

Objectives

The MPO shall maintain a public participation process that is effective and meaningful for citizens and groups to become engaged in the MPO's regional transportation planning activities.

Regional transportation planning cannot, and should not, be based simply upon technical analysis. The qualitative information derived from public participation is essential to good decision making. The MPO will ensure that the public has opportunities to be informed and involved early in the development of plans and projects; that their issues and concerns are heard; and that their concerns are considered prior to any final decision by the MPO Policy Board.

This Public Involvement Plan is designed to be an outcome oriented document that provides a philosophy around which to build a regional transportation participation program that will accomplish the objectives shown in Figure 4. Each objective is expanded upon in the following text.

Figure 4: Public Participation Objectives



Objective 1: Educate

The input gathered that leans toward many of our citizens being unfamiliar with the MPO must be remedied through educating the public about the MPO public participation process and how participation can affect the creation of the regional vision for the future multimodal transportation system. The MPO needs to help people who are interested in transportation planning and get plugged into the process where their interests lie and where they can impact the actual decision making process. The MPO Public Involvement Plan is designed to direct the MPO staff and committees to go further than it has in the past to build public knowledge about the transportation planning process and to encourage meaningful public participation at various stages of the process.

Early and continuous public participation opportunities are encouraged

Objective 2: Encourage

The MPO needs to hear from different kinds of transportation users (e.g., people who drive their car, ride the bus, walk, bicycle, carpool, receive truckload deliveries, etc.), and the MPO needs to have those different types of users talk to each other. The MPO will plan a transportation system for all transportation users. The diversity of stakeholders in the transportation planning process is important if that process is to create transportation system plans that work for all stakeholders.



The MPO recognizes that the continuous update cycle for regional plans can make it difficult for members of the public and other stakeholders to understand when public comment is being solicited and for what purposes. To a large degree, public participation tools and activities must encourage citizen participation on an ongoing basis.

At the same time, the MPO recognizes that strategies and the extent of public participation will vary depending upon the plan or project that is currently in the public view. Decision-makers must be strategic in designing a public participation program that is mindful of the fact that people in the region have varying levels of understanding about, and interest in, regional transportation planning. Consequently, they have different informational needs. It is widely understood that most people want to have a better transportation system that works for them to get around the area more

efficiently. However, depending on the age, income, family status, employment situation, travel mode, and social interests of each person – that could mean very different things. Therefore, the MPO encourages effective communication among the diverse stakeholders in order to have a complete representation of the community in our decision-making processes.

Objective 3: Opportunity

Opportunity must be given to residents to participate throughout the transportation planning process. The demand for public participation and outreach will always be greater than the MPO’s available resources. As the MPO continues to serve the New Bern Area, standards are set in place so that there is a level of consistency in public participation opportunities among the different planning efforts.



Public review and comment periods for each type of MPO planning activity and draft document (TIP, UPWP, etc.) will remain consistent over time and notifications about major MPO planning projects getting underway (MTP updates, special studies, etc.) will be posted online and sent to interested parties regularly so that they can make comments or attend a meeting on these MPO projects in a timely manner. Early and continuous public participation will be solicited by MPO staff and viewed as an important factor in the regional transportation planning process.

Objective 4: Incorporate

Public comments should help shape policies and guide the MPO’s planning activities. It is important that not only do the members of the public view their participation as meaningful, but the MPO needs to show proof that their contribution had an important effect on the overall transportation planning process by incorporating the public comments and recommendations into the decision making process.

Objective 5: Evaluate

A public participation strategy can only be declared effective over time if its efforts are tracked and evaluated. The evaluation component within this Public Involvement Plan (PIP) will ensure sustainability among its best practices. Not only do the tools and techniques need to be monitored and continue to evolve, but the entire PIP document and process should be reviewed and updated at least once every five years prior to the Metropolitan Transportation Plan (MTP) update to ensure that appropriate changes are being implemented by the MPO. The PIP may also be reviewed and updated if new planning regulations are enacted or if other changes occur that prompt the MPO to direct staff to update the plan.



Strategies and Techniques



Transportation planners are responsible for developing a unique public engagement strategy for each project that uses the appropriate techniques for the project. The strategy should include a timeline showing engagement techniques and other relevant activities, and should outline target audiences and expected outcomes. The typical citizen involvement shows that a large percentage of the community only becomes involved in the transportation planning process when the projects or issues are of personal interest to them. Other obstacles include lack of time to be involved in the planning process, or lack of knowledge in how to get involved. Overcoming these issues will require finding a balance of various techniques and strategies that will result in more people and more interest groups getting involved in the MPO process and encourage early, continuous, and accessible public participation. The following techniques and strategies will serve as a guide for the decision-makers to use when developing the public participation component of each project.

To promote the involvement of everyone (including traditionally underserved populations such as low income and minority communities and people with disabilities) in the transportation planning process, technical jargon should be avoided in presentations and information should be displayed using visualization techniques and graphics. Staff should be available to answer questions and work to verify that the messages presented are being understood by the audience. Likewise, the staff should actively listen to participants at meetings and make sure that the staff understands the comments made by the public. Figure 5 displays other techniques transportation planners will employ to specifically reach the traditionally underrepresented groups.

Figure 5: Techniques to encourage participation among traditionally underserved populations

- Conduct interviews orally so low literacy will not be a barrier
- Smaller, more comfortable group sizes
- Provide comfortable meeting space
- Involve local officials and community insiders
- Work with existing organizations
- Attend scheduled and special events
- Use interpreters and translated materials where appropriate and feasible

Brochures and Fact Sheets

Brochures and Fact Sheets are a presentation of data in a format emphasizing brevity, key points of interest or concern, a fairly minimalist design aesthetic, and a general desire to convey the most relevant information in the least amount of space. Fact sheets condense information into an easy-to-read, straightforward, portable, and modular form of knowledge. They often contain lists, statistics, and answers to common questions. In some cases they may include a summary or abridgement of a longer document. The MPO will utilize this tool when disseminating information about major plans and studies.

Document Availability

When select major MPO documents, maps or programs are proposed to be changed, copies of the existing documents and the proposed changes will be made available during the public comment period at the following locations:

- MPO offices; 303 First Street, New Bern, NC
- New Bern City Hall,
- River Bend Town Hall,
- Trent woods Town Hall,
- Bridgeton Town Hall
- Craven County Planning
- Documents are also published online at www.nbampo.org

E-Subscription Lists

The MPO staff maintains lists of MPO committee members including the standing committees (MPO Policy Board and TAC) and any temporary MPO groups set up for particular projects.

MPO staff encourages people to use the New Bern Area MPO email lists and sunshine list to sign up to receive notes and agendas about MPO meetings and events. These lists allow any individual, organization, agency or other interested party to use their email address and request that it be added to the MPO's email list so they are notified about upcoming meetings and the release of major MPO products for public review. Anyone interested can subscribe by contacting the MPO in the following ways:

- Mail – New Bern Area MPO, 303 First Street, New Bern, NC 28560
- Phone – 252.639.7593
- Email – mcreef@nbampo.org
- Online – www.nbampo.org

Information Tables and MPO Staff at Local Events

People like special events. These unique occasions are light-hearted and have a more relaxed feeling clearly different from public information/project meetings. They give people opportunities to meet others in a friendly, non-threatening setting and share their ideas. This is a great strategy to inform, educate and solicit comments from a diverse and large group of people who are traditionally not involved in the transportation planning process. The MPO should use these events to gain public input on transportation issues as staff time and schedules allow. MPO staff should use events sponsored by other larger agencies to provide opportunities for the public to voice their comments about the region's transportation system and participate in the MPO planning process.

Local Newspaper Articles, Advertisements, and Public Notices

Every effort to involve the local media should be used when providing information to the public or encouraging participation. Press releases will be sent out whenever notable transportation planning activities are taking place. MPO staff will be available to answer media questions and for interviews. Public Notices may also be taken out in the *Sun Journal* officially notifying the public of comment periods related to updates of selected major MPO documents including the Metropolitan Transportation Plan. Other selected MPO document updates and amendments may be described in shorter public notices printed in the newspaper.

Mailings

Mailings are a staple of most public involvement programs. Agencies use mailing lists throughout the planning and project development processes to “keep a thumb on the pulse” of the community at-large and for key stakeholders. Mailing lists reach an audience with announcements of upcoming events, meeting invitations, newsletters, summary reports, and other information about its activities and/or about particular projects that a segment of the community is likely to be keenly interested in. These mailings may go to some of the same people or groups that have signed up to get MPO information via the E-Subscription List, but these mailings are often used for target area or target interest audiences.

Public Meetings/Open Houses

Public meetings are effective at gathering questions and comments from stakeholders; they are also useful in providing information to all participants. Public meetings can be tailored to specific issues or community groups. They should be formal or informal depending on the situation.

An open house is typically an informal “come and go” type of public meeting. Staff is available to answer questions for a set period of time and participants can attend at any time during the time frame. A formal presentation is normally not given during an open house. Instead, it features various informational stations where participants can ask questions and provide feedback at each station. The MPO should use this type of meeting when gathering input and feedback on proposed alternatives.



Public meetings, of any type, should be held at a variety of locations at convenient, accessible locations and times, typically after-work hours. At least two weeks in advance of the scheduled meeting notices will be posted on the MPO’s web site and through appropriate neighborhood association newsletters if available. Public meetings should occur throughout the planning process.

Social Media

Social media is an advantageous way to reach people who may not read press releases or other “traditional” forms of communication. Thus, MPO planners write social media posts to be posted on New Bern Area MPO social media accounts and on the City of New Bern, County of Craven, Town of Bridgeton, Town of River Bend and Town of Trent Woods and any other partner agency social media accounts as well as web pages. Social media posts are written to encourage participation in surveys and open houses.

Stakeholder Interviews/Direct Agency Consultation

One-on-one stakeholder interview/direct agency consultation will facilitate dialogue between the MPO staff and interested parties, including various resource agencies. This enables MPO staff to ensure the correct data is being used, methods of analysis are sound, and that all agencies agree on what the analysis is saying. This strategy is typically utilized in the Metropolitan Transportation Plan (MTP) development process.

Visualization

Visualization techniques will be used in all core transportation plans, programs, and projects to the extent they are feasible. Visualization techniques promote improved understanding of existing and proposed transportation activities to those who do not have a background in transportation planning. Effective visualization techniques help build consensus and clarify ideas between the public and decision-makers. Tailoring visualization techniques for a specific document or population will help interested people better understand regional transportation planning goals and activities. These techniques will include the use of colors, diagrams, tables, maps and photos that better illustrate the ideas and concepts represented in transportation plans, projects and programs.

Websites

Online services provide communication 24 hours a day. The MPO website provides comprehensive information on MPO activities and regional transportation planning issues. Also housed on the MPO website are necessary reports, core documents, agendas and meeting minutes for all MPO committees and other advisory boards staffed by the MPO. The website is located at www.nbampo.org

Communication Objectives

The communication objective of each project determines which strategies and techniques will be utilized. Table 1 below displays the MPO’s three communication objectives – Inform, Consult, or Collaborate. The second and third column displays the strategies and techniques that should accompany the objective and additional actions that can be taken if desired.

Table 1: Communication Objectives

Communication Objective	Expectation	Additional
INFORM		
• One way communication - outreach to citizens	• Legal ad in newspaper • Website posting	• Social Media • Fact sheets/Flyers
• Provide public with balanced and objective project/issue information to increase awareness and/or understanding	• Notification through email subscription list • Applicable advisory bodies • Key contacts, liaisons	• Online MPO calendar • Press Release/ Media • Newsletters
CONSULT		
• Listen and acknowledge concerns and provide feedback on how public input influenced the decision	• All of the "Inform" expectations listed above • Hearing (if required) • Social Media	• Information tables/MPO staff at local events • Survey - online/personally • Public Meetings
• To obtain public feedback on analysis, alternatives and/or decisions.		• Documents available for public review/comment • Public comment periods
COLLABORATE		
• Interactive process that incorporated recommendations as much as possible	• All of the "Inform" and "Consult" expectations listed above	• Survey - online/personally • Information tables/MPO staff at local events
• Partner with the public in each aspect of decision making including the development of alternatives and identification of preferred solutions	• Survey - online • Community Outreach (open house, etc.)	• Documents available for public review/comment • Public comment periods

Public Notification

Timely, advance notice is a crucial element in any public involvement process. Citizens must be notified while projects, activities and programs are in the initial planning phases. Notification of upcoming projects provides vital information to all area stakeholders. NBAMPO will continue to provide notice of all meetings and copies of plans as requested to all local stakeholders.

Public Notification Guidelines

Public notice shall be provided to the local news media, including newsprint, radio and local government Public Information Officers, at least three days in advance. A calendar of regular and special meetings is posted and will be maintained on the NBAMPO website, www.nbampo.org, and NBAMPO social media sites, including Facebook and Twitter.

Comment Period

Public notice will be provided to the local news media in advance to solicit public review and comments on draft transportation plans under consideration by the MPO. The MPO will meet with public citizens to solicit participation on formulation of vision, goals and future needs of the area.

Table 2 outlines the public comment time frames prior to the TCC meeting in which the document will be presented for action. If, upon initial comment period, significant changes are made, public comment will be available prior to final action or approval of documents.

Table 2: Public Comment Time Frame

<u>Plan</u>	<u>Comment Period</u>	<u>Details</u>
Public Involvement Plan	45 days	The initial Plan will undergo a 45-day comment period. Any substantial updates to the plan will also require this comment period. Routine evaluations and adjustments to the plan will not trigger the extended comment period and will be made administratively.
Metropolitan Transportation Plan (MTP) (& related documents)	14 days	The MPO will develop the MTP's Vision and Goals by engaging stakeholders through a combination of surveys, presentations, online comments, participation in community events, to include at a minimum one public meeting. The Draft and Final MTP and its related documents will be made available for comments prior to approval by MPO boards
Metropolitan Transportation Improvement Program (MTIP)	14 days	Both Draft and Final MTIP will be made available for public comments
Planning Work Program (PWP)	14 days	Both Draft and Final PWPs will be made available for review
Major Amendments to NBAMPO documents	14 days	
Yearly Craven Area Rural Transit System (CARTS) Program of Projects (when not in conjunction with the MTIP)	14 days	

All comments received during the comment period will be provided to the MPO Boards. If the comments are incorporated in the affected plan/program and cause substantial changes to the original document, an additional solicitation for public input may be required.

MPO Core Documents

The MPO's core documents are the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), the Unified Planning Work Program (UPWP), and the Public Involvement Plan (PIP). Each document is described in the following pages. All core documents are available on the MPO web page (www.nbampopo.org) and available in print at MPO offices located at 303 First Street, New Bern, NC 28560.

Metropolitan Transportation Plan (MTP)

<http://www.nbampopo.org/documents>

The Metropolitan Transportation Plan (MTP) represents the best attempts by citizens, governing bodies, planners and transportation experts to develop a vision for a healthy, safe and efficient multimodal transportation system, which will adequately serve the New Bern area for the next 20 years and beyond. This plan identifies future transportation needs, investments, and recommendations for all modes of surface transportation (automobile, truck, public transit, bicycle and pedestrian). The MTP is updated every 5 years.

After the MPO approves the new MTP it is sent to the 5 member agencies (City of New Bern, Craven County, Town of Bridgeton, Town of River Bend and Town of Trent Woods). The MPO-approved MTP is also sent to the North Carolina Department of Transportation (NCDOT), the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) for informational purposes.

MTP Amendments

Amendments to the MTP may be made between full updates to incorporate new projects, funding sources, programs or state-determined performance measures. The appropriate strategies will be utilized as needed to properly engage the public. The public comment period is 30 days. Only chapters with proposed amendments will be presented for public comment and approval.

MTP Administrative Revisions

Administrative revisions are minor revisions to the MTP that do not require public review and comment or re-demonstration of fiscal constraint. Revisions may be made to correct minor inaccuracies or minor language, grammatical, format or other corrections that do not change the

approved intent or content of the document. Once the administrative revision is processed, it should be posted online and shared with the TAC and the TCC board at their next regularly scheduled meeting.

Performance Measures (PM)

Federal transportation legislation requires performance based planning with specific performance measures. The federal performance measures have strict requirements regarding target setting timelines and reporting metrics. These requirements are being implemented in phases based on final rule effective dates.

Transportation Improvement Program (TIP)

<http://www.nbampo.org/projects-prioritization-tip>

The TIP is a fiscally constrained short range multi-year listing of projects or improvements to the region's multimodal transportation system that are anticipated to receive federal funds, as well as all other regionally significant transportation projects, whether or not those projects receive federal funding. The TIP is developed in cooperation with the FHWA, FTA, the NCDOT, the area's public transit operators, and the area's local governments.

The TIP is required to be updated every 2 years. The MPO-approved TIP is sent to NCDOT, FHWA and FTA for further approval and then incorporated by reference into the State Transportation Improvement Program (STIP).

TIP Amendments

Projects are added, removed or modified through the regularly scheduled amendment process. Actions for eligible TIP amendments are described in the TIP.

Unified Planning Work Program (UPWP)

<http://www.nbampo.org/documents>

The UPWP outlines the status of MPO planning activities, gives details about MPO work done in the previous year, and describes the MPO work that is scheduled for the upcoming year. This annual work program document is drafted by the MPO staff in consultation with NCDOT and area transit provider staffs.

The MPO staff in consultation with NCDOT and local transit staffs draft a new UPWP for the coming year and have it ready for initial TCC and TAC review in January. Typically, the UPWP for the next year is approved at the March MPO meeting. The UPWP also requires NCDOT, FHWA and FTA approval.

UPWP Amendments

Major changes to the UPWP are made through formal amendments. Amendments are used when projects/work tasks are either added or deleted, or when significant changes are made to the UPWP and/or budget. UPWP amendments also require NCDOT and FHWA/FTA approval.

UPWP Administrative Revisions

Minor corrections or changes and routine data updates can be made to the UPWP by the TCC and then sent to the MPO policy board for concurrence at their next meeting. Revisions will be used for routine technical changes and updates to the UPWP text, graphics, and minor budget changes. UPWP changes customarily made by administrative revision include corrections of spelling or grammar errors, updates of hourly rates for MPO staff to reflect salary increases, document formatting revisions, and graphic improvements in the document. No public comment period is required for UPWP administrative revisions.

Public Involvement Plan (PIP)

<http://www.nbampo.org/documents>

The Public Involvement Plan outlines how the MPO works to achieve essential public participation in all planning activities. It also recommends methods to engage the public during the regional transportation planning decision making process. Furthermore, it states how members of the public can be involved in the transportation planning process. Utilizing a new public participation survey would constitute a full update.

PIP Amendments

Amendments consist of small changes including: clarifying or making minor changes to processes or strategies and incorporating federal requirements.

Conclusion

NBAMPO is striving to increase stakeholders' awareness and involvement in all phases of transportation planning. We are responsible for the transportation needs of the entire New Bern Metropolitan Area, and our transportation planning decisions affect the entire population. Seeking out and obtaining public input and comments is vital to the success of transportation planning within the New Bern Metropolitan Area.

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Public Involvement Plan written by the
New Bern Area Metropolitan Planning Organization
In cooperation with the
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and the
Technical Coordinating Committee, Jeffrey Ruggieri, Chairman
Kimberly Maxey, MPO Administrator, NBAMPO
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Cabarrus Rowan MPO Public Participation Policy

Cabarrus Rowan Metropolitan Planning Organization

Summary of Changes

The current Public Involvement Policy document was adopted in 2017. This Public Participation Policy document makes the following updates and revisions:

- Out of an abundance of caution, MPO staff are recommending adding language to the PPP that specifically mentions the permissibility of electronic meetings. Currently, the North Carolina Open Meetings Law, which the MPO abides by as stated in the approved PPP, includes language enabling electronic meetings and voting. The current proposed update lists the reasonable steps the MPO should take to ensure meetings held solely electronically are as publicly accessible as feasible. It addresses requirements for notification as well as providing the public with the means to both view or listen to the meeting in real-time.

When Feasible:

- Meetings will be streamed live on an online platform that allows visual and audio capabilities to the general public.
- Meeting agendas and materials will be posted online in advance of the meeting.
- If public comments cannot be made in person, a means to provide comments by phone call, email, letter, or video will be provided. It is requested that public comments be received 48 hours prior to the meeting.

The full Public Participation Policy document can be found at:

<http://www.crmppo.org>

Cabarrus Rowan MPO

The Cabarrus Rowan Metropolitan Planning Organization (CR MPO) is the officially designated body responsible for administering the transportation planning process. The MPO plans for regional transportation needs including highway, transit, air, bicycle and pedestrian facilities within both Cabarrus and Rowan counties as well as connections to the greater Metrolina Area. The priority goals of the MPO planning process include:

- Promote the safe and efficient management, operation and development of the transportation system;
- Serve the mobility needs of people and freight;
- Public participation and partnership;
- Foster economic growth and development; and,
- Minimize the negative effects of transportation including air quality.

The MPO is responsible for developing and directing a continuous, comprehensive transportation planning process carried out cooperatively by the local, State and Federal governments in conformance with Federal laws and guidelines. Broad responsibilities include, but are not limited to, the following:

- To advise the policy boards within the MPO planning area on the status and needs identified through the transportation planning process.
- To assist the general public in understanding decisions and policies related to the transportation planning and decision-making process.
- Identifying existing and future transportation needs by analyzing existing conditions, data, and trends and making projections of future changes.
- Increase safety and security of the transportation system for motorized and non-motorized users.
- Increasing the accessibility and mobility options available for people and freight.
- Protecting and enhancing the environment and the improving quality of life.
- Enhance the integration and connectivity of the transportation system across and between modes.
- Support and improve transit services.

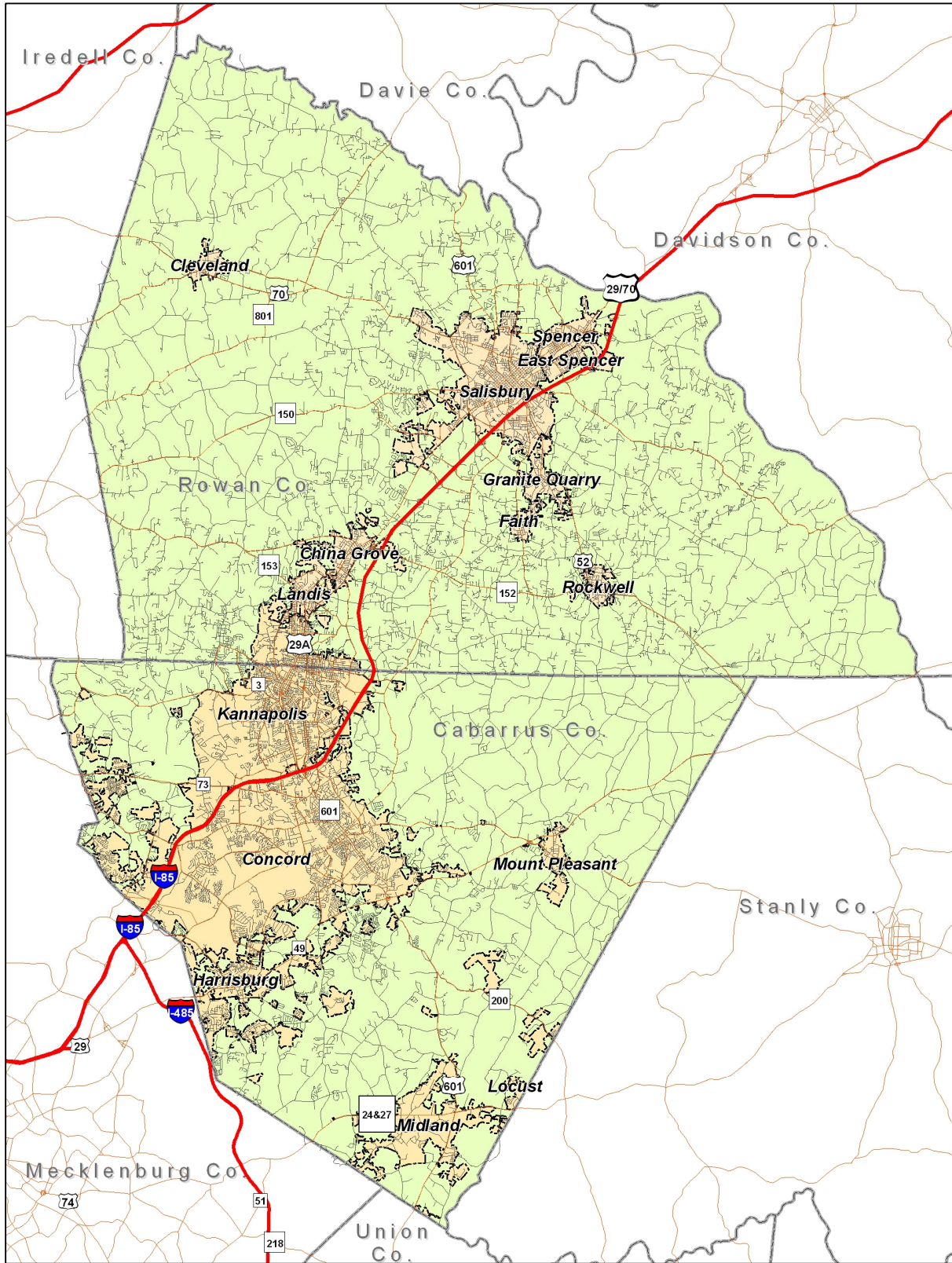


Figure 1 - Cabarrus Rowan Metropolitan Planning Organization

Participation in the Cabarrus Rowan MPO by member units of government is handled through two different groups: the **Transportation Advisory Committee (TAC)** and the **Technical Coordinating Committee (TCC)**.

The Transportation Advisory Committee is the policy and decision-making body for the Cabarrus-Rowan Metropolitan Planning Organization. The TAC is comprised of elected and appointed officials from the City of Concord, the City of Kannapolis, City of Salisbury, the Town of Landis, the Town of China Grove, the Town of Harrisburg, the Town of Spencer, the Town of Granite Quarry, the Town of Rockwell, the Town of Mount Pleasant, the Town of Cleveland, Cabarrus County, Rowan County, Town of Midland, Town of Faith, Town of East Spencer, and the North Carolina Department of Transportation. The TAC is responsible for approving the transportation planning documents and reports prepared by the MPO staff, developing policies on various transportation conditions and issues, and providing opportunities for citizen participation in the transportation planning process.

The Technical Coordinating Committee is the technical advisory body for the Cabarrus-Rowan Metropolitan Planning Organization. The TCC is comprised of professional planning and engineering staff from the City of Concord, the City of Kannapolis, City of Salisbury, the Town of Landis, the Town of China Grove, the Town of Harrisburg, the Town of Spencer, the Town of Granite Quarry, the Town of Rockwell, the Town of Mount Pleasant, the Town of Cleveland, Cabarrus County, Rowan County, Town of Midland, Town of Faith, Town of East Spencer, and the North Carolina Department of Transportation. The TCC makes recommendations to the TAC and is also responsible for providing opportunities for citizen participation in the transportation planning process.

MPO Plans and Programs

The Cabarrus Rowan MPO is responsible for creating and maintaining documents essential to the on-going transportation planning effort and guiding the prioritization and implementation of transportation projects.

Federally Required Documents

Metropolitan Transportation Plan (MTP)

The MTP is a multimodal plan with a minimum 20-year planning horizon that is fiscally constrained. The MTP must currently undergo an air quality conformity analysis determination. The MTP must be updated at least every four (4) years. The current MTP is the 2040 Metropolitan Transportation Plan Update approved March 2014 and amended August 2015.

Air Quality Conformity Determination (AQCD) (Clean Air Act (CAA) Amendments of 1990)

Transportation conformity is required for MPOs that are non-conforming or in maintenance for the State Implementation Plan (SIP) air quality standards regulated by the CAA. The MPO must meet conformity requirements or risk a conformity lapse where the use of Federal transportation funds is restricted to projects that do not increase roadway capacity.

Metropolitan Transportation Improvement Program (MTIP) and Rider Transit System Program of Projects (POP)

The MTIP is a ten-year (10) program that schedules State and Federal funding for roadway, bridge, safety, public transportation, passenger rail, bicycle, and pedestrian projects transportation projects in the MPO. The MTIP is a subset of the State Transportation Improvement Program (STIP) and must meet AQCD. The City of Concord Rider Transit System's Program of Projects (POP) is included in MTIP document.

Major Investment Study

A major investment study (MIS) is a planning tool to support decisions on significant federally funded transportation investments along a corridor or sub area level within the MPO. It is a detailed analysis designed to provide local decision-makers with more comprehensive corridor level technical analysis early in the transportation planning process.

Congestion Management Processes (CMP)

As a TMA, the Cabarrus Rowan MPO produces a CMP as an integral part of the MTP. The purposes of the CMP are to identify and address most of the major existing traffic congestion problems and conditions in the urban area and to identify a variety of tools and techniques that can be used to mitigate the identified problems.

Environmental Justice (EJ) Plan (Executive Order (EO) 12898, 1994)

The EJ Plan outlines specific goals and procedures the MPO will follow to involve minority and low-income populations in transportation planning processes and avoid disproportionately high and adverse impacts on minority and low-income populations.

Public Participation Policy

The Public Participation Policy details the MPO's commitment to public participation for all transportation plans and air quality conformity determination reports with clear, timely information; early and continuous involvement; and increased access for citizens, public agencies, providers of public transportation, and low income and limited English segments of the community. The Public Participation Policy outlines techniques to engage the public and provide outreach through traditional and new social media outlets. The Public Participation Policy includes performance measures that will provide information on the effectiveness of public involvement strategies. The Public Participation Plan will be implemented as a part of the MTP processes and outreach.

Unified Planning Work Program

The MPO prepares an annual work program known as the Unified Planning Work Program (UPWP). The UPWP must identify the MPO planning tasks to be undertaken with the use of federal transportation funds, including highway and transit.

Annual List of Federal Project Authorizations

Each year the North Carolina Department of Transportation (NCDOT) provides the CR MPO with an annual list of project that receive Federal Authorizations.

State Required Documents

Comprehensive Transportation Plan (CTP)

The MPO, with the cooperation of North Carolina Department of Transportation (NCDOT), develops a CTP based on population growth, economic conditions, and land use patterns. The CTP includes highway, transit, rail, bicycle and pedestrian elements in five maps to guide the development of the transportation system and document all expected projects at build-out with no regard to funding and/or timing constraints.

Strategic Prioritization Process

The NCDOT Strategic Planning Office of Transportation (SPOT) manages the STIP Project Prioritization process through a transparent, data-driven decision-making process for transportation projects along with local MPO input. The SPOT process develops an initial ranking and Statewide projects are prioritized with available funding. Remaining Statewide projects and Regional and Division level projects receive local

ranking and points through the MPO and NCDOT Division. Final STIP funding decisions are made using project scores and points along with the application of financial and scheduling constraints.

Other MPO Plans

Livable Communities Blueprint

The Livable Community Blueprint is a guide to assist Cabarrus County and the municipalities to identify bicycle and pedestrian routes on which they may focus over the next decade. The plan is located at <https://www.cabarruscounty.us/government/departments/active-living-parks/Pages/Livable-Community-Blueprint.aspx>

Carolina Thread Trail Masterplan for Cabarrus County

The Cabarrus County vision for greenway and trail development to connect the county, cities, towns and region within the Cabarrus Rowan MPO. The plan is located at https://www.cabarruscounty.us/government/departments/active-living-parks/Documents/parks_carolina_thread_trail_master_plan.pdf

Public Participation Policy

The Cabarrus-Rowan Metropolitan Planning Organization's (CR MPO's) Public Participation Policy is an umbrella policy, encompassing the plans and programs of the Urban Area's transportation planning process. Public involvement is an integral part of the CR MPO's planning efforts and is intended to offer opportunities for the general public and particularly, historically disadvantaged populations to provide meaningful input into the transportation planning and decision-making process. The Public Participation Policy is comprised of the public involvement programs for all the major planning activities, including the Metropolitan Transportation Plan (MTP), Metropolitan Transportation Improvement Program (MTIP), Major Investment Studies (MIS), and the Unified Planning Work Program (UPWP). The CR MPO will seek public input through a menu of techniques, including but not limited to, public notices, comment periods, workshops, charrettes, public hearings, newsletters, surveys, social media outreach, website and traditional media relations. The techniques employed will vary, depending on the specific planning task. The MPO will hold a forty-five (45) day public comment period for amendments to the Public Participation Policy. The CR MPO's Public Participation Policy will be consistent with the requirements of the Fixing America's Surface Transportation Act (FAST Act), the National Environmental Policy Act (NEPA) and the FTA/FHWA Guidance on Public Participation.

Federal Requirements

The MPO's Public Participation Policy is designed to be consistent with the requirements of the following Federal laws and processes detailed in **Appendix A – Acronyms, Glossary of Terms and Federal**

Requirements:

- FAST Act – Fixing America's Surface Transportation
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)
- Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency (2000)
- Americans with Disabilities Act of 1990
- Rehabilitation Act of 1973, Section 504

- Rehabilitation Act Amendments of 1998, Section 508
- National Environmental Policy Act
- Clean Air Act Amendments of 1990

Purpose

The purpose of the CR MPO Public Participation Policy is to have a proactive public participation process that provides complete information, timely public notice, and full public access to MPO activities at all key stages in the decision

-making process. This Policy is designed to ensure that the involvement of communities most affected by particular plans or projects are afforded ample opportunity to participate in the development of these plans and that transportation decisions will reflect public priorities.

Objectives

1. Bring a broad cross-section of the public into the public policy and transportation planning decision-making process.
2. Maintain public involvement from the early stages of the planning process through detailed project development.
3. Use different combinations of public involvement techniques to meet the diverse needs of the general public.
4. Make special efforts to increase the involvement by groups of people who do not generally participate, particularly low-income and minority populations.
5. Determine the public's knowledge of the metropolitan transportation system and the public's values and attitudes concerning transportation.
6. Ensure that technical information is available to the public in an understandable form and that all segments of the population are afforded access to this information.
7. Maximize the use of communications technology to facilitate the exchange of information, including use of the MPO web site and other electronically accessible formats (dropbox, e-mail, etc.).
8. Establish a channel for an effective feedback process.
9. Evaluate the public involvement process and procedures to assess their success at meeting requirements specified in the FAST Act, NEPA and the FTA/FHWA Guidance on Public Participation.

The Public Participation Policy consists of levels of public involvement depending on the nature and scope of each project or plan. Special emphasis will be given to engage the public in planning studies that form the basis for later programming decisions. Planning activities include corridor studies and special regional studies, environmental assessment studies, development of the MPO MTP and CTP. The MPO shall make every effort to involve the affected community through methods such as local direct mailing, transportation committees of local jurisdictions, public information meetings, and newsletters.

Public Involvement Opportunities

Open Meetings

The TCC holds regular monthly meetings on the 3rd Wednesday of every month and the TAC holds regular monthly meetings on the 4th Wednesday of every month except the months of December and July. All of

these meetings are open to members of the public and media and subject to the North Carolina Open Meetings Law. At the beginning of each regular meeting, the TCC and TAC provide time to receive public comments. All materials presented during MPO committee meetings will be public record and made available for review at the CR MPO office. Copies of archived records are available upon request.

Electronic Meetings

The CR MPO may choose to hold electronic meetings solely online or electronically. For CR MPO boards, the decision to hold an electronic meeting will be made by the Chair and Vice-Chair of each respective board in consultation with the MPO Director. In these cases, a telephone number will also be published for individuals without internet access.

When Feasible:

- Meetings will be streamed live on an online platform that allows visual and audio capabilities to the general public.
- Meeting agendas and materials will be posted online in advance of the meeting.
- If public comments cannot be made in person, a means to provide comments by phone call, email, letter, or video will be provided. It is requested that public comments be received 48 hours prior to the meeting.

Adequate Notice

The local news media will receive notification of all TCC and TAC meetings. The CR MPO will provide at least a week notice to citizens and media outlets of meetings in accordance with North Carolina Open Meetings Law. Meeting notices and the meeting schedule for the year is posted on the CR MPO website and publicized.

Access by Persons with Disabilities

All TAC, TCC and other MPO meetings will be held in facilities that are accessible to people with disabilities. All notices for planning activities of the Cabarrus Rowan Metropolitan Planning Organization will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions requested). The MPO will use the North Carolina Department of Health and Human Services database of sign language interpreters in our region to secure a sign language interpreter for a scheduled meeting upon request. Currently the database is available at [HTTP://WWW.NCDHHS.GOV/DSDHH/DIRECTORIES.HTM](http://www.ncdhhs.gov/dsdhh/directories.htm).

Public Outreach for General Programs and Plans: The MPO will involve residents, member municipalities, affected public agencies, representatives of neighborhood groups, planning committees, public and private providers of transportation, freight handlers, non-motorized transportation users, the disabled, economic development and business groups and associations, and other parties who express an interest in the process.

Public Outreach for Special Studies: For special studies, the MPO will identify and involve persons and groups that might be affected by potential changes to transportation services or facilities under review. Examples include: abutting property owners, neighborhood associations, environmental groups, appropriate federal, State and local agencies responsible for land-use, environmental and economic

development, and businesses within the study area.

Transportation Equity

During the adoption of transportation plans, policies and programs, the MPO will ensure fair and full participation in the transportation planning process by all citizens who may be potentially affected and be consistent with the Environmental Justice Executive Order guidance from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). The MPO will identify low-income and minority populations by traffic analysis zones or by census tracts, so the effects or burdens of transportation programs and on these groups can be reviewed and addressed to ensure transportation programs are distributed throughout the planning area fairly. Public outreach to low-income and minority populations will be made by maintaining a distribution email or mailing list of community organizations and leaders, inviting them to public meetings/workshops and speaking at community meetings. Public notices for adoption of new or major updates to the MTP or MTIP will be placed in newspapers and other available media outlets to reach low-income, minority and Spanish speaking communities.

Format of Public Meetings

Public meetings allow the MPO staff an opportunity to interact with citizens that may be directly affected by specific transportation plans. The general format of public meetings may include: a presentation by MPO staff; a question and answer period, and a summary of materials covered. Meetings may also incorporate using maps to identify where citizens are located, and an interactive activity. The CR MPO will hold multiple public meetings at various locations throughout the planning area. At least one will be in the evening or on a weekend to allow those with traditional work schedules to attend, and at least one will be during the traditional work day to allow those who work in the evenings or on weekends to attend. As appropriate, meetings will be held in minority communities.

Visualization Techniques

The Cabarrus Rowan MPO will use visualization techniques to clearly present information relating to MPO transportation plans, MTIPs and other planning projects. The goal of the MPO visualization policy is to help the public and decision makers visualize and interact with transportation plans and projects, alternatives, large data sets and land-use information more effectively. See the definition of visualization in the glossary (Appendix A) for examples of visualization techniques.

Time Period for Public Comments

The MPO shall allow reasonable time for public review and comment at key decision points. Minimum public review and notification periods shall be as follows:

- Amendments to the MPO’s Public Participation Policy – 45 days
- Adoption of the MTIP & major MTIP amendments, Air Quality Conformity Determination, MTP/CTP & major amendments – 30 days
- TAC & TCC Meetings – 7 days

Public Outreach Timelines and Actions Table

Planning Document	Update	Amendment	Administrative Modification
Metropolitan Transportation Plan (MTP)	At least one public meeting during the 30 days public review period prior to approval	Public Review and Comment period to last 30 days prior to approval	No public participation required for correcting small, non-substantial items

Metropolitan Transportation Improvement Program (MTIP)	Public Review and Comment Period to last 30 days prior to approval	Public comment period on the MTP during the TAC Meeting prior to final approval	
	Public comment period during the TAC Meeting prior to final approval		
Air Quality Conformity Determinations (AQCD)	Public Review and Comment Period to last 28 days after initial TAC list approval	NA	No public participation required
Prioritization List	Public Review and Comment Period to last 30 days prior to approval	Public Review and Comment period to last 30 days prior to approval	No public participation required for correcting small, non-substantial items
Comprehensive Transportation Plan (CTP)	Public Review and Comment Period to last 45 days prior to approval	Public Review and Comment Period to last 45 days prior to approval	No public participation required for correcting small, non-substantial items
	Public comment period during the TAC Meeting prior to final approval		
Public Participation Policy	Public comment on a case by case basis to meet goals of MIS.	Public comment on a case by case basis to meet goals of MIS.	No public participation required
Major Investment Study (MIS)	Public comment period during the TAC Meeting prior to draft approval	Public comment period during the TAC Meeting prior to draft approval	No public participation required
Unified Planning Work Program (UPWP)	Annual Authorizations made available for review and comment at MPO and on the website.	Annual Authorizations made available for review and comment at MPO and on the website.	No public participation required

General Guidelines

The following are general minimum requirements for all plans and projects requiring public involvement:

1. A public notice inviting comments at the beginning of the review period containing the following:
 - a. Locations where the document can be reviewed;
 - b. Instructions for submitting comments;
 - c. Contact information for questions or additional information, noting that comments on the public participation process are also welcome;
 - d. The due date for comments;
 - e. Date, time, location and special accommodations for any scheduled public meetings;
 - f. A link for additional information on the Internet.
2. MPO will include maps, photos, or renderings on public notices to attract interest, when possible.
3. The public notice (ad, poster or website notification) may be submitted to the following outlets, which will also be advised of any significant developments during the public review period:
 - a. For major updates of the MTP, CTP, MTIP or AQCD only, at least one major newspaper and publications serving minority communities. MPO will maintain the list of newspapers;
 - b. MPO Web site;
 - c. Press release to media outlets. MPO will maintain the list of media contacts;
 - d. Local newspapers and representatives of the MPO municipalities based on the project;
 - e. TCC and TAC members, as well as representatives of stakeholder agencies.
4. Documents may be available for public review for at least 28 calendar days at the following locations:

- a. Municipal and county government offices;
 - b. The MPO and NCDOT Division 9 and 10 offices;
 - c. Libraries in Rowan and Cabarrus Counties.
5. Documents should contain maps, photos, renderings, or other visualization tools to aid in understanding and shall be as jargon-free and succinct as possible.
 6. The document shall also be available on the MPO website for the duration of the public review period. The website should be accessible and compatible with assistive technology tools.
 7. During the public review period, comments should be submitted:
 - a. in writing;
 - b. via standard mail, e-mail and fax or Internet forms, if available.
 8. Public comments received will be:
 - a. Acknowledged with a written or e-mailed receipt message;
 - b. Responded to as appropriate, which could include a direct communication to the commenter or a response in the revised document;
 - c. Documented and presented to the MPO's TCC and TAC, in summary form or verbatim, before a vote is taken to adopt the plan or document in question; and
 - d. Included in summary form or verbatim with final documents, if sufficiently significant.

Implementation Guidelines

Minor items are performed administratively with limited public involvement outside the regular meeting structure of the MPO. Members of the TAC will represent citizens in making decisions, and materials will be distributed to inform stakeholders and implementing agencies of changes. Residents may also attend and speak at the beginning of each TAC meeting upon recognition by the TAC Chair, who may impose a reasonable time limit for speakers. Items in this category would include:

- Administrative modifications to the MTIP, MTP or CTP;
- Small projects with few impacts; and
- Technical/preliminary/exploratory studies.

Full updates of the MTP, CTP, MTIP and major MTIP amendments with Air Quality Conformity Determinations, or other major projects, studies, plans, or amendments, especially those impacting much of the urban area or substantially affecting minority or low-income populations, will have additional involvement to increase public participation:

1. The MPO will ensure that as many people as possible receive information including:
 - a. Progress/update newsletters to provide timely notice at project kick-off, at the beginning of public comment periods, and otherwise as appropriate;
 - b. Targeted postal mailings to generate interest and announce public meetings or workshops where possible; and survey material to elicit comments that might not otherwise be volunteered.
2. Public notices (announcements, ads or posters) may be placed in the following additional locations:
 - a. Transit hubs and onboard buses, where possible;
 - b. Bulletin boards in recreation centers, especially those in minority or low-income communities impacted by the item in question or places of worship in affected areas.

2. An electronic notice will be sent to a list of interested parties, including representatives of neighborhood and community organizations, especially in minority and low-income communities, to provide timely information about public comment periods and meetings.
3. Multiple public meetings will be held in transit-accessible locations during regular service hours.
4. Special services will be provided upon seven business days advance notice, when practical and subject to availability, of services and resources including translation for non-English speakers, materials for the visually impaired, and services for the deaf and hard of hearing, in accordance with MPO policies. The availability of these services should be mentioned in public notices.

Metropolitan Transportation Plan (MTP) and Air Quality Conformity Determinations (AQCD)

The multi-modal Metropolitan Transportation Plan (MTP) public review and participation process is designed to provide early and adequate opportunities for citizens, public and elected officials to be involved in the Cabarrus-Rowan (CR) MTP development. This public participation program is designed to involve all parties in the early stages of plan development and the subsequent update process. It is also designed to provide gradual progression from the general information (vision setting and formulation of goals, objectives and policies) pertaining to the plan to very specific information regarding alternatives and plan selection.

1. The Cabarrus-Rowan (CR) Metropolitan Planning Organization will provide opportunity for early and meaningful public involvement in the development and update of the MTP.
2. Proactive participation techniques will be employed to involve citizens and provide full access to information and technical data. The technique will generally include, but not be limited to: public meetings/hearings, surveys, charrettes, mass media, etc. Visualization techniques shall be utilized to enhance the public's understanding of MPO plans and programs. The techniques will be utilized in an appropriate manner when presenting and describing MPO plans and programs.
3. Information dissemination, notification of meeting, publication of proposed plans will be integral elements of the public involvement process.
4. The MPO will initiate the MTP update process as required by the FAST Act, the Clean Air Act Amendments (CAAA) and subsequent federal regulations. Elements of the Transportation Plan, and/or amendments will meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Environmental Protection Agency (EPA), and the North Carolina Department of Transportation (NCDOT) requirements.
5. The public comment period for all elements of the MTP will be for a minimum 30 day public comment period, effective from the date of the public notice publication. Written comments will be received during the comment period and will be directed to the MPO. The contact person, phone number and e-mail address will be included in the public notice.
6. Public meeting(s) will be held to: formulate a vision for the MTP development; provide the public background information on the metropolitan transportation system and other issues as well as the proposed framework of the Transportation Plan update process; and to receive citizen input.
7. All public meetings (forums) designed to solicit public comment will be held at various locations and times of day around the metropolitan area to encourage the greatest public participation. Public meetings will be held at a location which is accessible to persons with disabilities. Outreach activities will be conducted to inform minority and low-income groups and limited English-speaking

groups of the opportunity for public comment. At least one-quarter of these meeting shall be held in minority and/or low income areas and within ¼ mile walk of a transit route in an easily accessible area.

8. The Cabarrus-Rowan MPO will maintain a website which shall include information on the MTP, meetings, other programs and appropriate information. The MPO staff shall post on the CR MPO website draft documents that are subject to the MPO's public review process for review and comment. Staff will also use the website to distribute information to the MPO membership.
9. The MPO shall assess the distribution of impacts on low-income and minority groups for investments identified in the MTP and publicize these findings on the MPO website.
10. The TCC will assemble all comments and forward comments to the Transportation Advisory Committee (TAC). The TAC may choose to hold a public hearing before adopting the Metropolitan Transportation Plan.
11. Any significant revision and amendment to the MTP will be subject to the public review process as outlined above.
12. The public participation component of the MTP will generally follow the same citizen input and review as outlined in this policy. Public input will be solicited to review and comment on any major MTP amendment proposal as well as analyses conducted as part of the amendment request. Adequate opportunity will be provided for public involvement in the amendment of the MTP, and any significant revisions to the MTP will also be subject to public comment period as described in # 5 of this policy.
13. The CR MPO will endeavor to involve the public at key decision points of the MTP development. Decision points are those stages where the TAC will be required to endorse or take action on particular work elements. These include, but are not limited to:
 - Formulation of vision, goals and objectives
 - Policy development
 - Review and approval of socio-economic and demographic projections
 - Review of land use information and scenarios
 - Review and determination of transportation deficiencies
 - Identification of transportation (facility) needs
 - Evaluation of alternatives and selection of preferred option
 - Development of the Financial Plan
 - Plan recommendation and adoption

Metropolitan Transportation Improvement Program (MTIP) and Public Transit Systems Program of Projects (POP)

The Metropolitan Transportation Improvement Program (MTIP) is the document that describes the funding and scheduling of transportation improvement projects (highway, bicycle, pedestrian, and transit capital and operating assistance) using Federal, State, local and public-private funds. The MTIP serves as the project selection document for transportation projects and, therefore, is the implementation mechanism by which the objectives of the Transportation Plan are reached. The Fixing America's Surface Transportation Act (FAST Act) mandates an opportunity for public review of the MTIP. The City of Concord, City of Salisbury, Rowan County and Cabarrus County rely on this public involvement policy by the MPO to satisfy their public participation requirements for their respective Transit System's Program of Projects (POP). The CR MPO will prepare an MTIP based on 1) revenue estimates provided by the North Carolina Department of

Transportation (NCDOT) and 2) the CR MPO Regional Priority List. The public input element of the Metropolitan Transportation Improvement Program is presented as follows:

1. The Cabarrus Rowan Technical Coordinating Committee (TCC) will develop a draft Regional Multi-Modal Priority List from the Local Project Priorities of the MPO jurisdictions.
2. The Regional Priority List will be published for a minimum four week (28-day) public comment period and the notice will be published by the Metropolitan Planning Organization (MPO) in:
Independent Tribune
Salisbury Post
The notices for the public comment period will include an announcement that states that persons with disabilities will be accommodated. The Regional Priority List will be on file in the Cabarrus-Rowan MPO office, Cabarrus County Planning Department, Rowan County Planning Department, CR MPO website, and any participating municipal and county websites.
3. The Transportation Advisory Committee (TAC) will solicit public comment from interested parties on the draft Regional Priority List. The TAC will approve a final Regional Priority List after considering the public comments received.
4. The CR MPO Technical Coordinating Committee will develop a draft MTIP from the approved Regional Priority List and from revenue estimates provided by the North Carolina Department of Transportation. The TCC will forward the draft MTIP to the Transportation Advisory Committee. The Transportation Advisory Committee will publish the draft MTIP for public review and comment.
5. Copies of a draft MTIP will be distributed to TAC members and via the CR MPO website. Each jurisdiction will also have copies, available for public review. The draft MTIP will follow the same notification procedures as outlined above for the Regional Priority List. The TAC will solicit public comment from interested parties on the draft MTIP. Public comments will be addressed and considered in the adoption of the MTIP.
6. The public comments will be assembled and presented to the Cabarrus-Rowan TAC.
7. Amendments to MTIP will be available for public review and comment, if they make a major or substantial change to the MTIP. The NCDOT has identified a delineation between STIP Amendments and Modifications and issued guidelines to address each category. The Cabarrus-Rowan MPO wishes to incorporate the language from these guidelines into their own MTIP amendment procedures. A major change in the MTIP is considered the addition or deletion of a project that is regionally significant and in the first 4 years of the TIP or can affect fiscal constraint in the STIP or LRTP. Additional public comment on project additions or deletions that do not meet any of these 3 criteria may be sought at the discretion of the TAC by majority vote. Administrative modification is a streamlining process recommended in a recent FHWA/FTA/NCDOT Joint STIP Review and do not require documentation of public review or comment, re-demonstration of fiscal constraint, or a transportation conformity determination.
8. Written public comments and their responses will be published as an appendix to the final MTIP.

MTIP Amendments:

- Change in project cost beyond a predetermined threshold; increases in highway projects that exceed both \$2 million and 20% of the original cost and may affect fiscal constraint

- Change in federally-funded or state-funded regionally significant transit, bicycle or pedestrian project that exceeds either \$1 million or 20% of the project cost
- Any addition or deletion of a federally funded or state funded regionally significant project or project schedule shifts that move ROW, major capital acquisitions, or construction authorization dates either in or out of to the first 4 years of the TIP
- Project schedule shifts in years 1 through 4 that move project completion dates across Horizon Years as determined by the Metropolitan Transportation Plan
- Project schedule shifts to incorporate the project from an out-year into the current (four-year) TIP
- Change in the project design or scope that significantly changes the termini or project type, purpose, or number of through lanes on a non-exempt (for transportation conformity purposes) project
- Any addition, deletion or significant modification of non-traditional funding sources to a project (Nontraditional sources include state bonding and/or private participation)
- Public comment on project additions or deletions of less than \$1 million may be sought at the discretion of the TAC by majority vote.

MTIP Modifications

When a MTIP change is not substantial enough to trigger a MTIP amendment, a MTIP administrative modification takes place. A public hearing and 30-day public notice is not required for a MTIP administrative modification; however there will be a public comment opportunity provided at the TAC meeting where the MTIP modifications are being adopted. A MTIP administrative modification takes place under one of the following criteria:

- Any change to projects in years 5 or later
- Minor change to project descriptions, scopes, sponsor funding
- Minor cost increases in highway projects that do not exceed both \$2 million and 20% of the original project cost
- Addition or changes to locally-funded bicycle or pedestrian projects in the MTIP
- Schedule changes that move project authorization dates within the first 4 year MTIP time window and do not affect local air quality conformity findings
- Funding source changes between traditional funding sources (i.e. substituting available Congestion Mitigation Air Quality (CMAQ) funds for FTA section 5307 formula transit funds)
- Projects approved for Emergency Relief funds do not generally have to be included in the MTIP, so any changes made for emergency projects may be considered minor modifications.

Prioritization List

The TCC will develop a draft prioritization list from the local project priorities of the MPO jurisdictions using the approved local ranking criteria and point assignments process. Public participation for the prioritization list will include:

- Public input will be sought in the development of the prioritization criteria and local point assignments for regional and division level projects through the Strategic Transportation Initiative (STI)

- The draft prioritized list will be available for public comment for 28 days prior a final prioritization list approval by the TAC. The prioritization list will be submitted to the NCDOT for fiscal constraint prior to the release of the draft STIP.

Comprehensive Transportation Plan (CTP)

Additional public involvement at key decision points may include:

- Formulation of vision, goals and objectives
- Coordination of socio-economic and demographic projections with land use planning agencies

Public Participation Policy Updates

An important step in public involvement is evaluating the effectiveness of the policy and outreach activities in order to ensure a full and open involvement process. The CR MPO shall periodically review the overall effectiveness of the public involvement process in order to ensure that the process is providing meaningful citizen input. The public involvement policy is a work in progress and strives to improve CR MPO's efforts toward increasing public awareness and involvement in transportation planning. The CR MPO initially used a Public Involvement Survey, which was distributed in the fall of 2007, to gauge the public's satisfaction with the public involvement process. (The Public Involvement Survey is included as **Appendix C.**) Surveys will be developed to determine the success of public outreach methods and to judge how responsive they are in providing public input in the transportation decision-making process will be ongoing. Strategies and measures to evaluate public involvement effectiveness will rely on information gathered through surveys and data readily available to MPO staff. The CR MPO public involvement policy will be evaluated on a short and long-term basis.

Short Term

At every public involvement event, participants will be asked to evaluate the activity or opportunity. MPO staff will ask how the public found out about this opportunity and solicit feedback on the effectiveness of it or any suggestions for improvement. The MPO will develop public involvement objectives or strategies for evaluating the effectiveness of the public participation policy and track changes in public input and outreach or identify areas for improvement.

Long Term

The Public Involvement Policy must be reviewed at least every 4 years and updated in coordination with the development of the MTP.

Measures of Effectiveness and Biennial Evaluation Survey

Evaluation is a key component of any successful plan. Both short and long term evaluations ensure that the appropriate revisions to the public involvement approach are being recognized and addressed by the CR MPO. The objectives, strategies and measures below will be tracked by the MPO. The sources of data for these measures are meeting and attendance logs, surveys distributed at public meetings and events, records of public comments, and data on the total and unique number of hits on the MPO's website. Following these evaluations, it is possible that some public involvement activities will be refined, revisited, or discontinued. It is the philosophy of the CR MPO to strengthen the relationship with the public through these periodic evaluations and to report on the measures of effectiveness on a biennial basis.

Objective – Hold Regularly Scheduled and Advertised Meetings Open and Accessible to the General Public

Strategy

Measures

All MPO Meetings, times, agendas, and locations will be publicly noted in newspapers and online	Overall increase in meeting attendance Increase in number of attendees who are first time
MPO meetings will be held in ADA compliant locations accessible to transit or near traditionally underserved communities	% of meetings that are handicapped accessible % of meetings that are within ¼ mile of transit Overall increase in participation from transit riders, physically challenged or underserved communities
Incorporate specialized surveys and questionnaires in meetings and events where appropriate	% increase in recipients who responded to the survey or questionnaire

Objective – Seek Out Traditionally Underserved Communities

Strategy

Measures

Staff will provide presentations to community groups and provide one-on-one small group dialogue throughout the MPO to discuss process and projects	% increase in minority community and underserved participants in MPO outreach efforts. Geographic distribution of meeting attendees and comments
Identify communities with higher concentrations of under-served populations, develop relationships with community and religious leaders and hold workshops and meetings in these communities	Overall increase in participation by minority and underserved communities.

Objective – Engagement through a Variety of Outreach Activities to Maximize Public and Agency Input

Strategy

Measures

Provide opportunities through the website for people to access plans and have input into transportation plan or project decision-making	Overall increase in on-line comments
Schedule at least two community presentations or meetings per year in the evening and at locations out in the community.	Overall increase in telephone, email, and public inquiries about MPO programs and plans Increase in small municipalities and rural attendee participation.
Explore new tools and techniques through social media engagement and visualization	Overall increase in comments and survey responses
Partner with agencies to broaden MPO awareness and maintain information to ensure planning continuity	Overall increase in meetings with other agencies on MPO related topics % Increase in public inquiries about MTP and other plans

Limited English Proficiency Plan (LEP)

The CR MPO LEP plan provides public outreach to comply with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (2000) and is included in this plan by this reference. In addition, the Cabarrus Rowan MPO will use special strategies in special situations for engaging low-income, low-literacy, or limited-English-proficiency populations, including but not limited to the following:

- **Identifying LEP populations**
Areas within the CR MPO with high LEP populations will be identified and provided with specialized staff and materials for planning sessions or events.
- **Translation Services**
Interpretation assistance should be made available where possible and be as seamless as possible. Create a list of staff translators serving CR MPO on an ad hoc basis.
Provide written materials translated into appropriate languages with general information and directions until an interpreter can be located.

Prepare documents, flyers, notifications, agendas, etc. in the language known by the LEP population.
Phone notices for public input should be provided in the language of the known LEP population

- **Evaluation of LEP services**

Distribute translated evaluation cards for feedback from LEP persons at meetings and CR MPO offices.



**REPORT FROM NCDOT DISTRICT 8
ADDITIONAL AGENDA DETAILS:**

FROM:

Bryan Kluchar, Division Planning Engineer Division 8

DATE OF MEMO:

1/11/2024

MEMO DETAILS:

Attached is our Division 8 January Project Update for SMPO, as an information source. These NCDOT Division 8 projects are in the SMPO boundary.

We typically provide a project update for upcoming TCC and TAC meeting packets/agenda. Projects are assigned to Project Managers, who can answer specific questions outside of the TCC and TAC meetings.

ATTACHMENTS:

Description

- ▣ Division 8 SMPO Project List

Moore County - Sandhills MPO - Active Projects - Division 8--January 2024

Contract # or WBS # or TIP #	Route	Description	Let Date	Completion Date	Contractor	Project Admin.	Project Cost	Notes
R-5709A C204661	NC 211	Clear/Grub/Prep for Widen to Multilanes from Aberdeen to Raeford	9/21/2021	8/1/2024	Fred Smith Co.	James Dietrich (910) 944-2344	\$15,325,970	Project 43% complete
DH00528 SM-5708C and D	US 15-501	Realign SR 1208 (Page Rd) at US 15-501. Construct turn lanes	8/22/2023	11/11/2024	Fred Smith Co.	James Dietrich (910) 944-2344	\$2,875,578	Project just starting

Moore County - Sandhills MPO -Upcoming Projects - Planning & Design, R/W, or not started - Division 8--January 2024

Contract # or WBS # or TIP #	Route	Description	Let Date	Completion Date	Contractor	Project Admin.	Funds Needed	Notes
R-5709	NC 211	Widen to Multilanes from Aberdeen to Raeford	7/16/2024	TBD	TBD	Terry Farr (919) 707-6017	\$188,381,000	9/2021 Clear/Grubb R-5709A
R-5726	NC 211	Widen to Multilanes from SR 1241 to NC 73 in West End	9/17/2024	TBD	TBD	John Conforti 919-707-6075	\$32,500,000	Right of Way in progress R-5726A Clear & Grub \$5M
R-5824	NC 690 (Lobelia Rd)	Upgrade roadway from US 1 in Vass to Cumberland Co.	6/15/2027	TBD	TBD	Greg Davis (910) 773-8022	\$34,499,000	Right of Way 5/2024
R-5891	US 15-501 & NC 211 Southern Pines	Convert to Interchange at SR 1205/SR 1309 (Morganton Rd)	9/17/2030	TBD	TBD	Greg Davis (910) 773-8022	\$32,870,000	Right of Way 10/15/2027
R-5892	NC 5 (Beulah Hill Rd)	Modernization from Trotter Drive to NC 211 in Pinehurst.	3/19/2030	TBD	TBD	Greg Davis (910) 773-8022	\$39,497,000	Right of Way 11/2027
R-5927	US 15-501	Widen to Multi-lanes from the Pinehurst Traffic Circle to NC 73 Realign McCaskill Rd with NC 73	8/15/2028	TBD	TBD	Greg Davis (910) 773-8022	\$49,001,000	Right of Way 8/2025
U-5756	NC 5 in Aberdeen	Improve NC 5 from US 1 in Aberdeen to Pinehurst	6/17/2025	TBD	TBD	Greg Davis (910) 773-8022	\$48,300,000	Right of Way in progress
U-5814 & U-5815B	US 15-501 and US 1	Access Management improve - Reduced Conflict Intersections	12/17/2024	TBD	TBD	Jeffrey Teague (910) 773-8025	\$44,130,000	Right of Way in progress U-5815 BA = Utility work FY 2023
U-5815A	US 1 (Sandhills Blvd)	Improve from SR 1112 (Roseland Rd) to Knight St in Aberdeen	1/26/2027	TBD	TBD	Jeffrey Teague (910) 773-8025	\$6,701,000	Right of Way 6/2025
U-5976	US 15-501 Pinehurst Traffic Circle	Improvements from Voit Gilmore Lane to Page Rd.	8/21/2029	TBD	TBD	Alison Kluttz (910) 773-8026	\$57,401,000	Right of Way 8/2027

Bryan Kluchar, Division 8 - bdkluchar@ncdot.gov



FEBRUARY 15, 2024, 10:00 AM
ADDITIONAL AGENDA DETAILS: