



82 Hart Field Road Suite 105  
Morgantown, WV 26508  
(304) 291-9571  
[www.plantgether.org](http://www.plantgether.org)

## Agenda

MPO Policy Board Meeting  
City of Morgantown  
389 Spruce Street  
June 16, 2011  
7:00 PM

1. Call To Order
2. Public Comment
3. Approval of Minutes
4. Finance Report
5. Executive Directors Report
6. TIP Amendments-WVDOH, MPO
7. Draft Unified Planning Work Program-Bill Austin
8. Draft MPO Freedom of Information Act Policy-Bill Austin
9. Update on Consultants recommended for LRTP Update-Bill Austin
10. Other Business
11. Next Meeting August 16. 2011
12. Meeting Adjournment



82 Hart Field Road Suite 105  
Morgantown, WV 26508  
(304) 291-9571

[www.plantgether.org](http://www.plantgether.org)

## Memorandum

Date: June 9, 2011  
To: Policy Board Members  
From: Bill Austin, AICP  
Subject: June 16, 2011 CAC Agenda

Please find below a short description of the action items to be considered at the June 16, Policy Board Meeting.

**-TIP Amendments-** West Virginia Division of Highways has requested that the TIP be amended to include two new projects and that one project be removed from the TIP. These projects are summarized below:

Add

1. Federal Fiscal Year 2012 Project U331 7 03615 00  
From WV 7/I-68 Interchange to WV 7/CR 22 Construct turn lane and add signal.  
Total funds \$835,668. Federal Congestion Mitigation and Air Quality funds \$668,000 Sponsor funds \$147,668.
2. Federal Fiscal Year 2011 CMAQ 2011(081)D  
Monongalia County Urban Mass Transit/Morgantown Monongalia MPO, Vanpool Program Startup funds. 100% Federal Congestion Mitigation and Air Quality funds \$50,000.

Remove the following project:

1. Federal Fiscal Year 2011 Project S331 68 00421 00  
Resurface I-68 from Milepost 4.18 for a distance of 4.2 miles Total Funds \$1,300,000 Federal NHS Funds \$1,040,000 Sponsor Funds \$260,000

The Transportation Technical Advisory Committee recommended the amendment of the recently adopted TIP to include these projects.

The Citizens Advisory Committee (CAC) recommended approval of the addition of CMAQ 2011(081)D, the vanpool startup project. The CAC also recommended accepting the deletion of Project S331 68 00421 00 with the comment that the project should probably have been moved back rather than removed from the TIP.

The CAC recommended against adding Project U331 7 03615 00 the WV7/I 68 Interchange Project. The CAC did not understand the justification for this project and how it fits into the MPO's priorities. The CAC also felt that as shown the project was not capable of completely addressing the issues in the area and that the widening should go all the way back to Brookhaven Drive. Diagrams provided by DOH indicated that there is a very small segment between Brookhaven Drive and the proposed widening that would remain one lane.

**-Draft Unified Planning Work Program-** Please find enclosed the draft Unified Planning Work Program for FY 2011-2012. Major initiatives in the draft UPWP include:

**-Preparation of an update of the MPO's Long Range Transportation Plan-**As proposed in the draft Unified Planning Work Program we anticipate spending approximately \$156,000 during the upcoming fiscal year on updating the MPO's LRTP. The work to be performed includes updating the existing socio-economic data, updating the network information, and public involvement, as well as evaluating the highway, alternative transportation modes including transit and bicycle infrastructure of the area.

**-Continuing the annual traffic count program-**The initial counts for the program were conducted in April. The UPWP project includes data collection and the creation and maintenance of the database.

**-Creating a travel time data base for selected thoroughfares-**Using data from Mountain Line vehicles and potentially from the Dynamic Signal System currently being installed. Initial database creation will be performed by WVU and the data will then be maintained by MPO staff.

**-Continuing TDM implementation** activities, though it is anticipated that any consulting firm cost associated in this project will be part of the ongoing LRTP update.

**-Improving MPO mapping using GIS.** and aerial data and infrastructure data collected by the county and other agencies including the purchase of ArcGIS software and creation of a unified platform for operations.

**-Under Administration-**MPO staff also anticipates administering the LRTP Update as well as performing normal administrative functions.

The draft Unified Planning Work Program allocates approximately \$210,300 for the MPO's operations in the upcoming Fiscal Year not including the cost of preparing the LRTP Update. This is an approximately 15% reduction in requested funding for normal MPO operation. The reduction in funding is due to the establishment of the MPO as an independent agency. The proposed budget does reflect a 3% cost of living increase for MPO staff. A draft employee review document will be forwarded to Policy Board members as requested at the May meeting. It is anticipated that the LRTP Update will cost approximately \$156,000 during FY 2012-2013 making the total MPO Budget \$366,000.

The Transportation Technical Advisory Committee reviewed the draft UPWP and recommended its adoption by the Policy Board. The Citizens Advisory Committee also recommended adoption of the draft UPWP by the Policy Board.

It is respectfully requested that the Policy Board review the Draft Unified Planning Work Program and if acceptable adopt it for the upcoming fiscal year.

**-Draft Freedom of Information Act Policy-**The Policy Board requested that the MPO develop a Policy for handling Freedom of Information Act information requests at the May 16<sup>th</sup> meeting. Staff requested that MPO related agencies provide us with their policies so we could develop a template for handling these requests. West Virginia University provided the MPO with its Policy, which MPO staff used to develop the attached document.

The Policy provides for the MPO to charge twenty five cents a copy for providing more than 20 pages of copies in response to information requests. It also provides for the MPO to charge for staff time to respond to these requests when the time required to respond exceeds four hours. There are also charges established for providing information using electronic media. Being an administrative item this policy was not reviewed by the MPO's Committee's.

The draft Policy has been reviewed by the MPO's attorney, Mr. Peter Demasters. Mr. Demasters felt that the draft Policy was appropriate for our use. It is respectfully requested that the Policy Board consider adopting this Policy.

# DRAFT UNIFIED PLANNING WORK PROGRAM

---

*FISCAL YEAR 2011 – 2012*

## MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION

Adopted:

Amended:



Morgantown Municipal Airport  
82 Hart Field Road Suite 105  
Morgantown, WV 26508  
(304) 291-9571 phone  
(304) 291-9573 fax

## INTRODUCTION

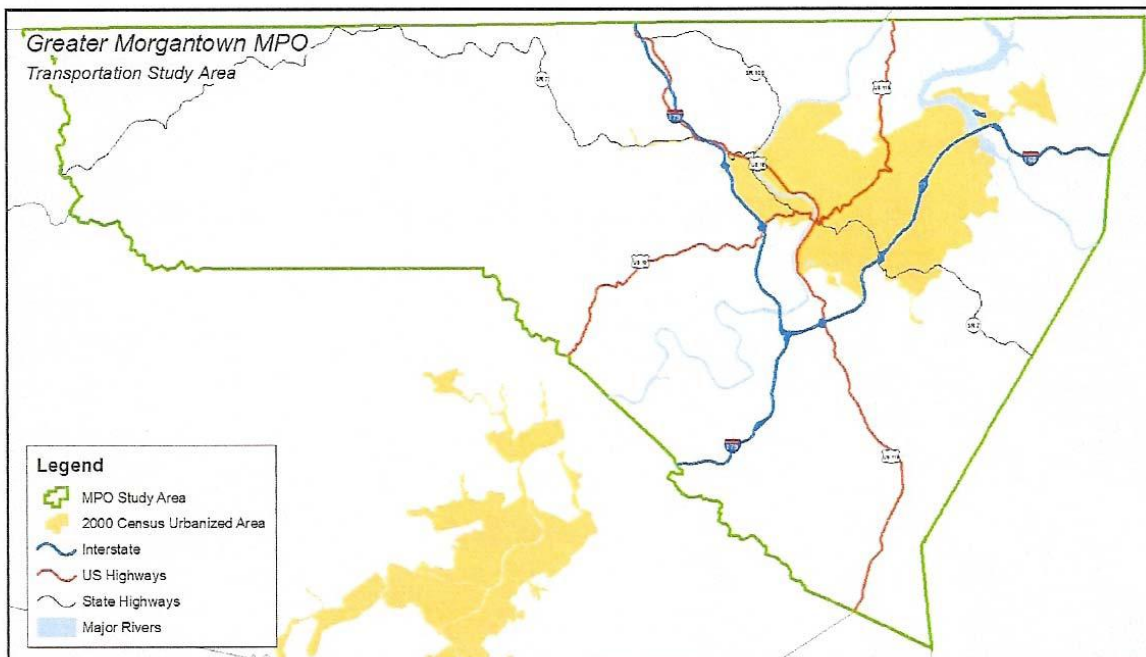
In accordance with Federal Regulations this document outlines the budget for the Morgantown Monongalia MPO. It provides information about the work the MPO will be performing in the upcoming year and summarizes the funding that will be used to accomplish that work.

## STUDY AREA

The Morgantown Monongalia MPO covers Monongalia County including the municipalities of Blacksville, Granville, Morgantown, Star City, and Westover.

The MPO's Policy Board may include representatives from:

1. Monongalia County (pays one half of any local match requirements) - three county commissioners
2. City of Morgantown (pays one half of any local match requirements) - three council members
3. City of Westover — one elected representative
4. Town of Star City — one elected representative
5. Town of Granville — one elected representative
6. Town of Blacksville — one elected representative
7. Mountain Line Transit Authority — one representative
8. Monongalia County Board of Education — one representative
9. West Virginia University — one representative
10. West Virginia Department of Transportation — MPO liaison



Prepared By: Morgantown MPO, 02/16/2005 Source: US Census Bureau

## DRAFT

During Fiscal Year 2010-2011 the Morgantown Monongalia MPO has accomplished a great deal to assist the West Virginia Department of Transportation and the area's local governments in improving transportation in the area. Please find below a short description of these activities.

The MPO facilitated discussions within the community and with the West Virginia Division of Highways for important transportation projects including the Beechurst Widening Project, the Dynamic Signalization project along the WV 705 Corridor and in the Beechurst/University Avenue Corridor, and the Mileground Widening Project. The Dynamic Signalization Study also includes a study of traffic operations in downtown Morgantown and MPO Staff will continue to assist State and local staff with this process. Staff will provide technical advice and assistance with public involvement efforts.

The first traffic counts for the MPO's annual traffic count program were taken in April of 2011. This program will be an ongoing effort to develop a database showing both the vehicle mix in the area and the directional peak periods on the major arterials in the area.

The MPO developed a plan to implement Transportation Demand Management programs in coordination with several large employers including WVU, Monongalia General Hospital, NETL, Mylan Pharmaceuticals and WVU Hospital. The first of several van pool development meetings have been held as of May 2011 as a result of this effort. This TDM effort is being complemented by a "Transportation Fair" to be held during the summer of 2011 and other educational efforts including ongoing coordination with bicycling and pedestrian groups.

MPO staff has also been involved in discussions with the Department of Transportation on Statewide initiatives to develop policies for corridor protection and for better coordinating amendments to local Transportation Improvement Plans. Several initiatives are moving forward as a result of this discussion. The MPO also hosted the West Virginia Statewide MPO Conference in October of 2010. MPO Staff has also been active in regional activities including the "Power of 32" project for the greater West Virginia, Pennsylvania and Maryland area.

Finally, in addition to normal administrative activities the MPO established itself as an independent agency as of January 1, 2011. This move resulted in significant savings on employee benefits. As a result of this action the MPO was able to hire an Assistant to the Executive Director on March 1, 2011. The Assistant's duties include implementation of the Transportation Demand Management program including liaison activities with the bicycling and pedestrian communities, creation of the traffic count database and implementation of GIS data collection activities in coordination with Monongalia County and the area's municipalities. The Assistant will also work to develop capabilities to work with MPO's traffic model and on administrative functions as needed.

## **FOCUS FOR FISCAL YEAR 2012**

### **Local initiatives:**

Updating the 2030 Regional Transportation Plan will be the priority work undertaken by the MPO this fiscal year. This effort will require most of the MPO staff's time.

The Urban Area's long range transportation plan needs to be updated to meet Federal requirements as well as to find alternative strategies to address the loss of potential future capacity as the result of the development of the Corridor for the proposed 705 Connector. Given the outlook for funding transportation improvements on the Local, State and Federal levels the prospects for finding funds for the many needs outlined in the 2030 Transportation Plan are limited. The MPO will focus the updated Long Range Transportation Plan to reflect funding realities by revising the LRTP to reflect achievable goals in the short term and developing implementable long term projects that will benefit the community. This updated LRTP will reflect work performed on the Grumbein Island Pedestrian project during the current fiscal year as well as ongoing transportation demand management efforts. As part of the LRTP Update Staff will continue coordination with the existing Bicycle and Pedestrian Advisory Committee's and developing MPO focused initiatives in these areas. As part of the Long Range planning process MPO staff will also work on legislative initiatives such as developing measures to protect corridors that may assist in reducing the cost of constructing transportation projects in the future.

The estimated budget for a consultant to perform the technical analysis and public involvement activities for this project are included in this budget. The anticipated breakdown of the cost for the work by the consultant is reflected in the funding by category shown in this document. However the final scope of work to be negotiated with the selected firm may vary from the figures shown here though the total funding will remain the same. It is anticipated that majority of the work for this project will be performed during FY 2012-13 with the project being completed during the first half of FY 2013-14.

### **Other tasks:**

Other major projects for the MPO will be continuing the development of an ongoing annual traffic count database. The first counts for this database were taken in April of 2011. This database will provide the MPO with base data which may be used to project the future growth of traffic as well as to provide decision makers with complete information about the existing conditions in the area. . This data will be available to the public at large for use in developing business plans and other marketing efforts and to the areas municipalities so they may evaluate the impact of proposed new development in the area. The traffic counts will be of use to the MPO in validating the Long Range Transportation Plans model as well as in identifying area's where operational improvements to the road network may be needed. The information will also be useful to the Division of Highways as they plan operational improvements to the area's transportation facilities.

It is also proposed that the resources included in the traffic database will be expanded to include travel time data available from Mountain Line as well as additional data that may become available from the newly installed ACS Lite system along the WV 705. The preparation of this database will be



## **DRAFT**

accomplished with the assistance of West Virginia University. These databases will be updated on an ongoing basis.

Staff has been hired to more fully develop our GIS resources as well as the in-house modeling capabilities of the MPO. The budget proposed for FY 2011-12 includes purchasing up to date GIS software and working with Monongalia County to develop up to date data for the GIS system to synchronize with the newly acquired aerial photography and associate 2 foot contours. The GIS database will be used to create mapping for the traffic count database as well as the travel time database. It is also anticipated that it will provide data on a wide variety infrastructure throughout the urban area.

## **SAFETEA-LU PLANNING FACTORS**

The Federal transportation authorization bill, "SAFETEA-LU" outlines eight planning factors to be addressed in the Transportation Planning Process as a requisite for the use of transportation planning funds. The Morgantown Monongalia MPO will address these issues in Fiscal Year 2012 as outlined below:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency:

The Greater Morgantown MPO will coordinate transportation projects with local governments and agencies to improve the region's global competitiveness. This will be achieved by promoting transportation corridors that improve access to the MPO study area, thus enhancing flow of goods and services to the global market. A prime example of this is the cooperation between the West Virginia Department of Transportation and the Greater Morgantown MPO on the design and construction of the Mon-Fayette Expressway, as well as, regular maintenance and upgrades on both major interstate corridors in the region. The Greater Morgantown MPO will continue to work on projects that promote regional connectivity.

2. Increase the safety of the transportation system for motorized and non-motorized users:

The Greater Morgantown MPO will encourage projects that include enhanced safety features for transportation in the region. The safety measures to be included are pedestrian crossings where viable, improved bicycle and pedestrian corridors, and working with local emergency service providers on transportation safety education when applicable. The MPO will create a Bicycle and Pedestrian Committee to provide decision makers and planning staff with input on those elements of the Long Range Transportation Plan.

3. Increase the security of the transportation system for motorized and non-motorized users:

For highway security, ITS monitoring systems are being implemented by WVDOT in discussion with local governments and the MPO at key highway intersections to aid in transportation security.

4. Increase the accessibility and mobility of people and for freight:

The Greater Morgantown MPO will work with all local governments in the region as needed to make changes and update the 2030 Regional Transportation Plan. One of the components of the plan has been to examine the current highway network and project future network demand based on a computer model. The model results are incorporated in the plan.

5. Protect and enhance the environment, promote energy conservation, and promote consistency between transportation improvements and state and local planned growth and economic development patterns:

The MPO will continue to implement the recommendations of the Transportation Demand Management Study working with area employers. The MPO will also seek to expand the number of environmentally responsible transportation modes available to the citizens of the area. These efforts include promoting transit services, pedestrian facilities and accommodations for cyclists.

6. Enhance the integration and connectivity of the transportation system across and between modes, for people and freight:

The Greater Morgantown MPO will coordinate activities which examine the integration of transportation systems for the MPO region. To address this issue the Greater Morgantown MPO will be working alongside the Mountain Line Transit Authority in the implementation of its Transit Master Plan and revisions as needed to the human services transportation coordination plan. As part of these studies and all other multi-modal decisions, West Virginia University will be part of the discussion, especially in considering the expansion of PRT services to the greater community.

7. Implementation of Transit Master Plan Elements:

A number of planning components have been identified above. These items include:

- a. Targeted Highway Improvement Recommendations (Transit Lanes, Transit Only Lanes, left turn lanes, restriping, contra-flow lanes, and signal priority studies).
- b. Car Sharing and Van Pool Programs — demand modeling and development of an actual implementation plan for the community
- c. Transit Oriented Development — working with local municipalities and the State to develop land use policies integrating public transportation.

8. Promote efficient system management and operation:

The Greater Morgantown MPO, along with a number of local government and private interests, are working with WVDOT's initiatives to develop options for the use of Intelligent Transportation Systems (ITS) technology in the region. The architecture promotes the efficient use of technology to improve transportation management systems and operations. The MPO is also working to implement Transportation Demand Management strategies to reduce peak hour stress on the transportation network.

9. Emphasize the preservation of the existing transportation system:

In all plans and projects the Greater Morgantown MPO will examine the existing transportation system before making recommendations for improvements. To facilitate this effort the MPO will continue to develop its GIS based information system, incorporating the Transportation Improvement Program, for the Greater Morgantown area.

## **BUDGET ITEMS BY MAJOR CATEGORY**

In March of 2010 the MPO adopted a new Prospectus that defines the MPO's work tasks. The Project codes used in this document refer to the work task codes identified in the Prospectus.

### **II-A Continuing Transportation Planning Activities-Surveillance of Inventory Data**

**II-A-1 Traffic Counts-** MPO will continue the annual traffic count program with the initial 46 locations counted in the spring of 2011. The data collected includes daily directional traffic volumes, peak period traffic volumes and vehicle classification counts at selected locations. These counts supplement traffic counts taken every three years in the area by the Division of Highways and they will be used both as base data for traffic modeling efforts and as information for decision makers as they consider the impact of proposed development in the area. They will also be available to the public for their use. These counts will be performed by a consultant team already on contract with the State of West Virginia to perform these services.

**II-A-9 Travel Time Studies-** MPO staff will have a travel time database created utilizing GIS data collected by Mountain Line Transit. This database will consist of historic information from Mountain Line and may be supplemented with data from the newly installed dynamic signal system. The data will be used to calibrate the MPO's regional model as well as be available for transit routing, and micro-simulation of the area's transportation network.

**II-A-10 Mapping-** MPO staff will improve the MPO's GIS Capabilities with the purchase of the most recent version of ARC GIS and working with Monongalia County to establish a server to share data. This work will also include supplementing the County's recently acquired aerial photography with additional data. The data may be used in the upcoming update of the area's LRTP.

### **II-B Long Range Transportation Plan Development**

**II-B-6 Community Goals and Objectives-** MPO and consulting staff will work with area communities to assist them with the development of their community goals and objectives as well as to insure that they are reflected in the MPO's goals and objectives as developed in the Long Range Transportation Plan Update. Staff anticipates participating in the City of Morgantown's, the Town of Star City's and Monongalia County's Comprehensive Planning processes as part of this assistance. Staff will also be available to work with Westover and Granville in their Comprehensive Planning efforts.

**II-B-9 Highway Element-**MPO staff will work with the Consultant team employed to update the Long Range Transportation Plan to develop an updated highway element.

**II-B-10 Transit Element-**MPO Staff will work with the Consultant team employed to update the Long Range Transportation Plan to develop an update of Mountain Lines master plan to be included in the MPO's LRTP.

## **DRAFT**

**II-B-11 Bicycle and Pedestrian Planning-** MPO and consulting staff will work with the established a Bicycle and Pedestrian Advisory Committee, to assist in the development of the LRTP Countywide Bicycle and Pedestrian element during the development of the MPO's updated LRTP in 2012.

**II-B-13 Collector Street Planning-** MPO Staff will provide support to area municipalities in reviewing proposed development to insure that the proposed collector streets are adequate. Staff will also review proposals to insure that the proposed connection between major arterials and collector streets for their impact on the arterials and that they are adequate and consistent with the capacity anticipated in the Long Range Transportation Plan.

**II-B-16 Financial Planning-** MPO Staff will continue to monitor ongoing development of funding streams for transportation and begin to devise funding strategies to be incorporated in the update of the LRTP in 2012. Financial planning will also be performed as part of the MPO's Long Range Transportation Plan Update.

**II-B-17 Congestion Management Strategies-** MPO will review and coordinate with WVDOT/DOH on potential congestion mitigation strategies including ongoing TDM activities, as well as, the operational improvements that may assist in the mitigation of congestion including an ongoing study of signalization improvements and the operation of the downtown Morgantown street network being conducted by the State.

## **III Administration**

### **III-A Planning Work Program**

MPO staff will monitor the revised Planning Work Program process to insure it is being adequately implemented. Staff will also develop the 2012 Planning Work Program.

### **III-B Transportation Improvement Program**

MPO staff will amend and update the Transportation Improvement Program as needed.

### **III-C-6 Public Involvement**

The MPO will continue ongoing public involvement activities associated with the development the updated LRTP as well as the development of the revisions to the TIP and the creation of a new UPWP. Staff also anticipates increased public involvement activities associated with the implementation of the recommendations of the Transportation Demand Management Study.

**III-C-7 Private Sector Participation-**The MPO will seek to encourage private sector participation wherever possible with projects as they move forward. This effort will immediately focus on the implementation of the MPO's TDM Project, as well as, involving the private sector in the development of the LRTP.

**III-D-1 Transportation Enhancement Planning-**MPO Staff will provide assistance with enhancement planning activities as requested by area agencies.

**DRAFT**

**III-D-2 Environmental Planning and Pre-TIP Planning**-These funds will be available to address small area needs for any of the MPO's member agencies that may arise during the Fiscal Year.

**III-D-4 Regional or Statewide Planning**-MPO staff will assist WVDOT on regional and or statewide issues as requested.

**III-E Management and Operations**

MPO staff will perform normal management and operational functions as required. It includes monitoring the performance of the long range Transportation Plan Consultant and MPO Staff. This line item includes the cost of the MPO audit, supplies, rent, insurance and other administrative costs.

**DRAFT**

The allocation of resources to each of the Work Tasks may be found on the table below:

**MORGANTOWN MONONGALIA MPO OPERATING BUDGET FY 2011-2012**  
**Revenues and Expenditures by Major Category**

Task Number	Task Item	Category	Consolidated Federal Planning Funds	WVDOT	City/County/MPO	Other	Total Cost Allocation
<b>II-A</b>	<b>Inventory</b>						
	1	Traffic Counts	\$8,800.00	\$1,100.00	\$1,100.00		\$11,000.00
	9	Travel Time Studies	\$7,200.00	\$900.00	\$900.00		\$9,000.00
	10	Mapping	\$25,600.00	\$3,200.00	\$3,200.00		\$32,000.00
		<b>Total</b>	<b>\$41,600.00</b>	<b>\$5,200.00</b>	<b>\$5,200.00</b>		<b>\$52,000.00</b>
<b>II-B</b>	<b>LRTP Dev</b>						
	6	Community Goals	\$16,000.00	\$2,000.00	\$2,000.00		\$20,000.00
	9	Highway Elements	\$40,000.00	\$5,000.00	\$5,000.00		\$50,000.00
	10	Transit Elements	\$24,000.00	\$3,000.00	\$3,000.00		\$30,000.00
	11	Bicycle and Ped.	\$20,000.00	\$2,500.00	\$2,500.00		\$25,000.00
	13	Collector Street	\$8,000.00	\$1,000.00	\$1,000.00		\$10,000.00
	16	Financial Planning	\$40,000.00	\$5,000.00	\$5,000.00		\$50,000.00
	17	Cong. Mgmt. Strat.	\$12,000.00	\$1,500.00	\$1,500.00		\$15,000.00
		<b>Total</b>	<b>\$160,000.00</b>	<b>\$20,000.00</b>	<b>\$20,000.00</b>		<b>\$200,000.00</b>
<b>III</b>	<b>Administration</b>						
	A	Work Program	\$4,000.00	\$500.00	\$500.00		\$5,000.00
	B	TIP	\$2,400.00	\$300.00	\$300.00		\$3,000.00
	C-6	Public Involvement	\$32,000.00	\$4,000.00	\$4,000.00		\$40,000.00
	C-7	Private Sector	\$2,400.00	\$300.00	\$300.00		\$3,000.00
	D-1	Enhancement Plan	\$2,400.00	\$300.00	\$300.00		\$3,000.00
	D-2	Env. and Pre-TIP	\$4,000.00	\$500.00	\$500.00		\$5,000.00
	D-4	Regional and State Management and	\$4,000.00	\$500.00	\$500.00		\$5,000.00
	E	Ops	\$40,000.00	\$5,000.00	\$5,000.00		\$50,000.00
		<b>Total</b>	<b>\$91,200.00</b>	<b>\$11,400.00</b>	<b>\$11,400.00</b>		<b>\$114,000.00</b>
<b>Grand Totals - All Programs</b>			<b>\$292,800.00</b>	<b>\$36,600.00</b>	<b>\$36,600.00</b>		<b>\$366,000.00</b>

MORGANTOWN MONONGALIA MPO OPERATING BUDGET FY 2011-2012

**Cost Allocation Rate Table**

All work performed outside program areas shall be charged at an hourly rate to cover actual expenses. Reimbursement/allocation rates are as follows:

Position	Hourly Rate
Executive Director	\$ 57.40 Incl. benefits + Overhead/Contract
Asst. to the Director	\$ 33.64 Incl. benefits + Overhead/Contract
Additional Travel	Monongalia County Rate as adjusted

**Line Item Fixed Operating Expenses**

Category	Consolidated Federal Planning Funds	WVDOT	City/County/MPO	Total Cost Allocation
<b>Salaries</b>				
Director	\$59,440.00	\$7,430.00	\$7,430.00	\$74,300.00
Asst. to the Director	\$30,880.00	\$3,860.00	\$3,860.00	\$38,600.00
Benefits (see below)	\$30,960.00	\$3,870.00	\$3,870.00	\$38,700.00
<b>Contracted/Capital Expenses</b>				
Contracted Services	\$4,800.00	\$600.00	\$600.00	\$6,000.00
Consulting Services	\$130,960.00	\$16,370.00	\$16,370.00	\$163,700.00
Computer Equipment	\$400.00	\$50.00	\$50.00	\$500.00
Software	\$16,000.00	\$2,000.00	\$2,000.00	\$20,000.00
Public Notices/Publishing	\$1,600.00	\$200.00	\$200.00	\$2,000.00
<b>Overhead</b>				
Travel & Training	\$6,400.00	\$800.00	\$800.00	\$8,000.00
Office Rent	\$6,560.00	\$820.00	\$820.00	\$8,200.00
Utilities (phone, internet, website)	\$4,000.00	\$500.00	\$500.00	\$5,000.00
Copier lease, supplies, postage	\$800.00	\$100.00	\$100.00	\$1,000.00
Fuel/Maintenance	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$292,800.00</b>	<b>\$36,600.00</b>	<b>\$36,600.00</b>	<b>\$366,000.00</b>



**DRAFT**

## MORGANTOWN MONONGALIA MPO OPERATING BUDGET FY 2011-2012

The Executive Director and Assistant to the Director positions are salaried and therefore all costs including benefits are allocated to a 2080 hour work week.

<b>Employee Benefit Expenditure Detail</b> (Calculated on Total Wages = \$112,900.00)				
<b>Description</b>	<b>Consolidated Federal Planning Funds</b>	<b>WVDOT</b>	<b>City/County/MPO</b>	<b>Total Cost Allocation</b>
FICA (6.2%)	\$ 5,599.84	\$ 699.98	\$ 699.98	\$ 6,999.80
Worker's Compensation (2.3%)	\$ 207.74	\$ 25.97	\$ 25.97	\$ 259.67
Medicaid (1.45%)	\$ 1,309.64	\$ 163.71	\$ 163.71	\$ 1,637.05
Retirement (12.5%)	\$ 11,290.00	\$ 1,411.25	\$ 1,411.25	\$ 14,112.50
Health Insurance (PEIA Rates- Same as FY 2010)	\$ 10,780.00	\$ 1,347.50	\$ 1,347.50	\$ 13,475.00
Dental & Vision Insurance (2011-2012 rates)				\$ 2,220.00
<b>Total Employee Benefit Package</b>				<b>\$ 38,704.02</b>

Note: The Director and Assistant to the Director are salaried positions. Therefore, all holidays, vacation and sick leave benefits are included in the base wage rate and shall be calculated on an hourly basis using a 2080 hour work year as the base line.

## CERTIFICATION

This is to certify that I have reviewed the indirect cost proposal submitted herewith and to the best of my knowledge and belief:

- (1) All Costs included in this proposal dated June 16, 2011 for the period July 1, 2011 through June 30, 2012 are allowable in accordance with the requirements of the grant(s), contract(s), and agreement(s) to which they apply and which they apply and with the cost principles applicable to those agreements.
- (2) This proposal does not include any costs which are allowable under applicable cost principles, such as (without limitation): Advertising and public relations costs, entertainment costs, fines and penalties, lobbying costs, and defense and prosecution of criminal and civil proceedings.
- (3) All costs included in this proposal are properly allocable to grant(s), contract(s), and agreement(s) on the basis of a beneficial or causal relationship between the expenses incurred and the grant(s), contract(s), and agreement(s) to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare under penalty of perjury that the foregoing is true and correct.

Authorized Official: J. William B. Austin  
Executive Director

Signature: \_\_\_\_\_

Organization: MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION

Date: \_\_\_\_\_

DRAFT

**ASSURANCE CONCERNING NONDISCRIMINATION ON THE  
BASIS OF DISABILITY IN FEDERALLY-ASSISTED PROGRAMS  
AND ACTIVITIES RECEIVING OR BENEFITING FROM  
FEDERAL FINANCIAL ASSISTANCE**

Implementing the Rehabilitation Act of 1973, as amended, and  
the Americans With Disabilities. Act of 1990

(Federal Transit Administration)

Morgantown Monongalia Metropolitan Planning Organization, AGREES THAT, as a condition to the approval or extension of any federal financial assistance from the Federal Transit Administration (FTA) to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research or to participate in or obtain any benefit from any program administered by the FTA, no otherwise qualified person with a disability shall, solely be the reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance administered by the FTA or any entity within the United States Department of Transportation (DOT).

Specifically, the Recipient **GIVES ASSURANCE** that it will conduct any program or operate any facility so assisted in compliance with all applicable requirements imposed by DOT regulations implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (and any subsequent amendments thereto) set forth at 49 FA Parts 27, 37, and 38, as well as all applicable regulations and directives issued pursuant thereto by other federal departments or agencies.

Executed this 16<sup>th</sup> day of June, 2011

BY: \_\_\_\_\_  
J. William B. Austin  
Executive Director

**DRAFT**

## **FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE**

The **MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION** HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Administration Act, as amended, it will ensure that:

1. No Person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.
4. A standard DOT Title VI Assurance, signed and dated March, 1978 has been filed with the state.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

J. WILLIAM B. AUSTIN

DATE: June 16, 2011

EXECUTIVE DIRECTOR

---

SIGNATURE OF AUTHORIZED OFFICER

If any complaints of civil rights violations have been received during the last 12 months, a description of the complaints and their disposition or proposed disposition should be attached. (Further information may be requested, if needed.)

## NONDISCRIMINATION ASSURANCE

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex or age and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of the Title VI of the Civil Rights Act, “49

CFR part 21 at 21.7, the Morgantown Monongalia Metropolitan Planning Organization assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, “Title VI program Guidelines for Federal Transit Administration Recipients”, and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA as follows:

- 1.) The applicant assures that each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.
- 2.) The applicant assures that it will take appropriate action to ensure that any transferee receiving property financed with Federal assistance derived from FTA will comply with the applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21.
- 3.) The Applicant assures that it will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.
- 4.) The Applicant assures that it will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.
- 5.) As required by 49 CFR 21.7(a)(2), the Applicant will include in each third party contract or sub agreement provisions to invoke the requirements of 49 U.S.C. 5332 and 49 CFR part 21, and include provisions to those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

To implement the Equal Employment Provisions of the Americans with Disabilities Act,” (29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.

(iv) The Applicant hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the U.S. Department of Transportation, to the end that, in accordance with Title VI of the Act, no persons in the United States shall, on the grounds of race, color, creed, national origin, sex or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant received Federal financial assistance from the Department under Federal Transit Administration Programs; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department under Federal Transit Administration Programs, this certification shall-obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real, property or structure 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. If any personal property is so provided this certification shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department under Federal Transit Administration Programs.

THIS CERTIFICATION is given in the 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 Applicant by the Department under Federal Transit Administration Programs. The Applicant recognizes and agrees, that such Federal financial assistance will be extended in reliance on the representations and agreements made in this certification, and that the United States shall have the right to seek judicial enforcement of this certification. This certification is binding on the Applicant, its successors, transferees, and assignees. The person or persons whose signatures appear on the Declaration page are authorized to sign the certification on behalf of the Applicant.

Executed this 16<sup>th</sup> day of June, 2011

BY: \_\_\_\_\_

J. William. B. Austin

Executive Director

## **MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION**

### **TITLE VI PROGRAM CIVIL RIGHTS ACT OF 1964**

#### **COMPLIANCE REVIEW STATEMENT FOR FY 2011-2012 OVERALL UNIFIED PLANNING WORK PROGRAM (UPWP)**

##### **I. Metropolitan Planning Organization Handling Agency Compliance**

- A. To What extent does the MPO Handling Agency employ minority staff personnel in the program area under review?

The MPO only has two fulltime employees with no minority staff. However, the MPO is in the process of developing policies guaranteeing that there will be no discrimination in future hiring practices.

- B. Has the Agency adopted a formal Title VI complaint process?

The Agency is in the process of developing a complaint process.

- C. Has the MPO received any specific Title VI complaints in the program area under review? If so, what corrective action has been taken?

There have been no complaints to our knowledge.

##### **II. Consultant Contracts**

- A. What consideration is given to minority contractors in the selection of consultants for the transportation planning work?

Advertisement for potential consultant work includes reference to Title VI compliance and minority contractors are invited to participate in procurements.

1. Does the Agency establish and monitor annual Title VI contracting goals?

No, the agencies contracting opportunities are limited by the small size of the agency. The agency will track and encourage minority participation in contracting opportunities.

2. Does the consultant selection process include maintenance of records of qualified minority consultants?

Yes

3. What other methods or procedures are utilized to encourage use of qualified minority consultants?

Minority consultants are encouraged to submit proposals.

4. Are Title VI assurances and provisions included on consultant contracts?

Yes

- B. Have consultants made positive efforts to employ qualified minority subcontractors? If so, to what extent?

Not that we are aware of.

- C. What are the MPO's procedures for monitoring consultant compliance with Title VI contract provisions?

The MPO will examine the hours worked by minority contractors and subcontractor on bills submitted for processing.

### **III. Urban Transportation Planning Process**

- A. What techniques and procedures are employed to provide data relative to minority populations, neighborhoods, income levels, physical environment, travel habits, etc.?

The MPO regularly examines the impact of proposed projects on the area's minority community utilizing the most recently available Census data.

- B. To what extent is the data considered in determining that a proposed transportation system will be capable of responding favorably to minority to group requirements? What techniques are used?

MPO staff utilizes GIS to examine the location of low income and minority populations and their location in relation to proposed facilities.



- C. Do the MPO Transportation Plan and TIP include assessments of the impacts that planned transportation system investments will have on both minority and non-minority areas? Discuss the assessment methodology and resulting documentation.

The MPO utilizes GIS to identify minority and low income populations and to assess the potential impact that any proposed project may have on these communities. The MPO performs these assessments as part of the LRTP update utilizing the most recently available Census Data.

- D. To what extent has the MPO developed a formalized procedure (organization, responsibilities, etc.) to provide for citizen participation in the transportation planning process?

The MPO has a formally adopted citizen participation process.

- E. Are minorities, both individually and through their organizers, represented in the citizen participation effort? If so, how many and in what capacity?

There are no specific minority groups represented in the MPO, outreach efforts seek to reach these communities through outreach to transit dependent and or low income employees.

- F. Are there any further affirmative actions taken by the MPO to enlist the involvement and support of minority populations in the transportation planning process?

**DRAFT**

## **DISADVANTAGED BUSINESS ENTERPRISE ASSURANCE**

In accordance with CFR 26.13(a), the MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION assures that it shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any third party contract, or sub agreement supported with Federal assistance derived from the U.S. DOT or in the administration of its DBE program or the requirements of 49 CFR part 26. The Applicant assures that it shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third party contracts and sub agreements supported with Federal assistance derived from the U.S. DOT.

**DRAFT**

## LITIGATION CERTIFICATION

I, J. WILLIAM B. AUSTIN, Executive Director hereby certifies that to the best of my knowledge there is no litigation pending or threatened which might affect the performance of this project.

Executed this 16<sup>th</sup> day of June, 2011

BY: \_\_\_\_\_

J. William B. Austin  
Executive Director

**DRUG-FREE WORKPLACE ACT CERTIFICATION  
FOR A PUBLIC OR PRIVATE ENTITY**

**1. The Morgantown Monongalia Metropolitan Transportation Planning Organization  
(Name of Applicant)**

Certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. Establishing an ongoing drug-free awareness program to inform employees about-
  - 1) The dangers of drug abuse in the workplace
  - 2) The Applicant's policy of maintaining a drug-free workplace
  - 3) Any available drug counseling, rehabilitation, and employee assistance programs
  - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
- C. Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (A).
- D. Notifying the employee in the statement required by paragraph (A) that as a condition of employment under the grant or cooperative agreement the employee will:
  - 1) Abide by the terms of the statement; and,
  - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- E. Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (D.) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shag include the identification number(s) of each affected grant or cooperative agreement.

- F. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2), with respect to any employee who is so convicted:
  - 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or Local health, law enforcement, or other appropriate agency.
  
- G. Making a good faith effort to continue to maintain a drug-free work place through implementation of paragraphs: A), B), C), D), and F).

**2. The Applicants headquarters is located at the following address. The addresses of all Workplaces maintained by the Applicant are provided on an accompanying list.**

**Name of Applicant:** Morgantown Monongalia Metropolitan Planning Organization  
**Address:** 82 Hart Field Road Suite 105  
**City:** Morgantown  
**County:** Monongalia  
**State:** West Virginia  
**Zip Code:** 26505

---

**J. William B. Austin**

Executive Director  
**Title of Authorized Official**

Morgantown Monongalia Metropolitan Planning Organization  
**Name of Applicant**

June 16, 2011  
**Date**

**DRAFT**

## **DRUG FREE WORKPLACE POLICY**

It is the policy of the **MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION** to maintain a work place that is conducive to efficient and productive work. In order to attain that goal, it is further the policy of the Organization that the unlawful use, manufacture, distribution, dispensing or possession of a controlled substance is prohibited in the Organization's work place.

As an employee of the Organization, I agree to abide by that policy and am aware that violation of the policy regarding substance abuse will result in disciplinary action up to and including dismissal.

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**SIGNATURE**

**THIS IS A SAMPLE OF THE DRUG FREE WORK PLACE FORM  
GIVEN TO EACH MORGANTOWN MPO EMPLOYEE  
FOR SIGNATURE AND CERTIFICATION.**

**COPIES OF SIGNED STATEMENTS ARE ATTACHED.**

DRAFT

**CERTIFICATION OF PROVISION OF NECESSARY  
LOCAL MATCHING FUNDS**

The Morgantown Monongalia Metropolitan Planning Organization hereby certifies that the  
(Name of Applicant)

ten percent (10%) local match requirement of the total project cost shall be provided in

(check and complete one) \$ \_\_\_\_\_, \_\_\_\_\_; \$ \_\_\_\_\_, \_\_\_\_\_;  
(cash) (total cash amount) (in Kind services) (total in Kind value)

or, \_\_\_\_\_, \$ \_\_\_\_\_ +\$ \_\_\_\_\_ :\$ \_\_\_\_\_  
(combination of both) (cash amount) (in kind value) (total amount)

It is my understanding that if in kind is used as match, proper documentation detailing the cash  
Value of those services shall be included with this application. If cash is used as match, the source of  
These funds is (are) from Monongalia County, and City of Morgantown.

Executed this 16<sup>th</sup> day of June, 2011

By: \_\_\_\_\_

J. William B. Austin  
Executive Director

Morgantown Monongalia Metropolitan Planning Organization

## **FISCAL AND MANAGERIAL CAPABILITY CERTIFICATION**

**NAME OF APPLICANT:** Morgantown Monongalia Metropolitan Planning Organization

And a review of the Applicant's records, that the Applicant has the requisite legal, financial and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5303; and to implement and manage the project.

## **FEDERAL REQUIREMENTS**

**NAME OF APPLICANT:** Morgantown Monongalia Metropolitan Planning Organization

Hereby certifies that it will comply with any existing Federal requirements, as well as any changes that occur in the future, in carrying out this project.

## **INSPECTION**

**NAME OF APPLICANT:** Morgantown Monongalia Metropolitan Planning Organization

Hereby certifies that it shall permit the FTA, the Comptroller General of the United States and, of appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

Executed this 16<sup>th</sup> day of June, 2011

BY: \_\_\_\_\_

J. William B. Austin  
Executive Director



**CERTIFICATION  
OF  
RESTRICTIONS ON LOBBYING**

I, J. William B. Austin, Executive Director, hereby certify on behalf of  
(Name and Title of Grantee Official)

the Morgantown Monongalia Metropolitan Planning Organization that:  
(Name of Grantee)

- 1) No federal appointed funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment, or modification of any Federal contract grant loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract grant loan, or cooperative agreement, the undersigned shall complete and submit standard form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this 16<sup>th</sup> day of June, 2011

BY: \_\_\_\_\_

J. William B. Austin  
Executive Director

**CERTIFICATION  
REGARDING DEBARMENT, SUSPENSION, AND OTHER  
RESPONSIBILITY MATTERS**

As required by U.S. DOT regulations on Government wide Debarment and Suspension (Non procurement) at 49 CFR 29.51 0:

- 1) The Applicant (Primary Participant) certifies to the best of its knowledge and belief, that it and its principles:
  - (a) Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal Department or Agency.
  - (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
  - (c) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity, (Federal, State, and Local) with commission of any of the offenses listed in paragraph (2) of this certification.
  - (d) Have not within a three year period preceding this certification had one or more public transactions (federal, State, and Local) terminated for cause or default.
- 2) The Applicant also certifies that if later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above; it will promptly provide that information to the Division.
- 3) If the Applicant (Primary Participant) is unable to certify to the statements within paragraphs (1) and (2) above, it shall indicate so on its Signature Page and provide a written explanation to the Division.

**DRAFT**

## **PROCUREMENT COMPLIANCE**

Applicant certifies that its procurements and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220. 1 D, "Third Party Contracting Requirements", and other implementing guidance or manuals FTA may issue. The applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that its contractor(s) will also include in its sub agreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

---

J. William B. Austin, Executive Director

---

Date

**Morgantown Monongalia Metropolitan Planning Organization  
(MMPO)**

**Freedom of Information Act Response Policy and Procedures**

**Section 1. General**

- 1.1 Purpose-**To establish policies and procedures for implementation of the West Virginia Freedom of Information Act (WVFOIA)
- 1.2 Effective Date-**Upon Adoption by the MMMPO Policy Board
- 1.3 Scope-**These Policies and Procedures shall apply to all MMMPO documents deemed to be applicable for disclosure under the WVFOIA

**Section 2. Policy**

- 2.1 Principle-**As a public agency MMMPO should encourage as much transparency as possible in its activities. In general the MMMPO should treat all information generated as being public information.
- 2.2 Policy-**It is the policy of the MMMPO that its employees and officers should be prepared to share all correspondence and documentation related to the MPO with the public unless it is deemed appropriate to exclude such information such as personnel or proprietary information or otherwise as allowed under WVFOIA.

**Section 3. Procedures**

- 3.1 Responsible Parties-**The Executive Director and in his absence the Chairman of the MPO Policy Board shall be the responsible parties for implementing and ensuring compliance with the provisions of WVFOIA and these Policies and Procedures.
- 3.2 Receipt of a Request-**For the purposes of these policies and procedures, the five business day response period shall begin on the first business day after the request

is received. If receipt is during regular business hours defined as 8:30 am to 5:00 pm.

**3.2 Responsible Requests-**All requests for Public Records made pursuant to WVFOIA must state with reasonable specificity the records sought. It shall be the sole responsibility of the MPO Executive Director in consultation with the MPO's Legal Counsel, to determine if a WVFOIA request is reasonable.

**3.3 Responding to a FOIA Request-**WVFOIA mandates that upon receiving a request for Public Records made pursuant to WVFOIA the Executive Director shall do one or more of the following, within a maximum of five business days of receipt not including Saturdays, Sundays, and legal holidays.

- (a) Furnish copies of the requested records
- (b) Advise the person making the request of the time and place at which he or she may inspect and request copies of the Public records during business hours
- (c) Deny the request, in whole or part, stating in writing the reason for the denial;
- (d) Request clarification of the request;
- (e) Request an extension of the time within which to fulfill the WVFOIA request

**3.3.1** Under normal circumstances, responsive Public Records shall be provided electronically. If the person requesting the documents requests paper copies or digital media copies of the documents they shall be provided under the provisions outlined in the next section.

**3.3.2** The Executive Director in consultation with legal counsel shall be responsible for redaction or removal of non-responsive or exempt portions of requested documents regardless of format.

**3.3.3** Exemptions-The Executive Director in consultation with legal counsel shall advise with regard to any record that may not be disclosed.

## **Section 4 Fees**

**4.1 Intent-**It is the intent of the MPO to only charge those fees which may be seen to recover the MPO's actual cost for the collection and dissemination of the requested Public Records as allowed under WVFOIA. These fees may be reasonably calculated to reimburse MPMPO for the actual cost of making the reproductions of the requested Public Records. No fees may be charged to persons viewing the responsive public data.

- 4.2 Payment-**All fees may, upon request of the Executive Director, be paid to MMMPO prior to the release of the public records.
- 4.3 Physical Media-**The MMMPO shall charge the following fees for the various physical media:
- (a) If the requested documents number less than 20 pages copies shall be provided at no charge to the requesting party
  - (b) If the requested documents number more than 20 pages then there shall be a one dollar twenty five cent (.25) charge for every page exceeding 20 pages
  - (c) If digital media such as DVD or CD is requested there is a minimum \$10 charge per disc.

All physical media shall be made available at the MPO's Office. If it is requested that the information be mailed it shall be mailed utilizing the US Postal Service, all costs for mailing the information beyond the cost of first class letter postage shall be the responsibility of the requesting agency or individual.

- 4.4 Electronic Media-**The MMMPO will not charge for the transmittal of information which currently exists as electronic information via electronic media such as email, except for a fee of \$15 for providing access to File Transfer Protocol (FTP) sites or similar facilities that require special access. If transferring the document electronically requires conversion of a paper document to an electronic format such as a PDF by copying it, then the twenty five cent (25 cent) per page fee for copying is applicable.
- 4.5 Estimated Charges-**Some requests may require the Executive Director to estimate the fee for the person or entity making the request. If the Executive Director estimates that responding to the request will require in excess of four staff hours, the MPO will charge the person or entity making the request the responding staffs' hourly rate including the cost of benefits for the time spent which exceeds four hours. If the estimated fee exceeds \$200, the Executive Director may require the person or entity making the request to pay a deposit, up to and including the amount of the original estimate, before proceeding with the request.

**GREATER MORGANTOWN MPO**  
**City Council Chambers Minutes May 18, 2012**

**MEMBERS PRESENT:** Anthony Giambrone, Charles Bryer, Don Spencer, Joe Fisher, Joe Statler, Asel Kennedy, David Bruffy, Perry Keller

**MEMBERS ABSENT:** Eldon Callen, Bill Byrne, Janice Goodwin, Patty Lewis

**I. CALL TO ORDER:** Joe Fisher called the meeting to order at 7:00 PM

**II. PUBLIC COMMENT:** None

**III. APPROVAL of MINUTES:** Mr. Bryer moved to approve the minutes of March meeting as presented; seconded by Mr. Bruffy. With no discussion, the motion unanimously passed.

**IV. TREASURER'S REPORT:** With no questions on the report as presented, Mr. Bruffy moved the report be accepted; seconded by Mr. Giambrone. The motion unanimously passed.

**1. Auditor's Report.** Mr. Statler advised the 2010 audit findings showed no irregularities and everything is in order. Mr. Giambrone moved to accept the auditor's findings as submitted; seconded by Mr. Spencer. The motion unanimously carried.

**V. EXECUTIVE DIRECTOR'S REPORT.** Mr. Austin first updated non-agenda items.

1. Attended a meeting in Ohio for West Virginia and Ohio's MPO's. Discussed modeling efforts; updated on federal funding issues;

2. Working with the Division of Highways on a policy for the amendment transportation improvement programs. A draft policy has been forwarded to other MPO's for their comment. The hope is to have fewer TIP amendments and to standardize the process; working with DOH so administrative approval may be given for smaller issues, i.e., fixing potholes, bridge replacement, instead of those issues being brought to Policy Boards. Mr. Keller stated this will reduce TIP amendments but will not reduce projects or cut funding, but simply act as a placeholder. If at the end of the fiscal year additional projects are needed, special meetings would not be necessary. Mr. Austin stated all information will first be presented to the Policy Boards prior to asking them to adopt any Policy on TIP's;

3. Working with WVU on Grumbien Island. Public meetings have been delayed by WVU as they are requesting more involvement with students. They also have asked for further clarification on the project;

4. Mr. Austin and Danielle Williams, MPO Assistant, attended a "STARS Meeting" that dealt with environment streamlining. Working to have planning projects dovetail with the environmental process;

5. Attended a conference for the American Planner's Association;

6. Attended a Power 32 Meeting with Don Spencer for regional planning. Mr. Austin and Mr. Bruffy will be attending a meeting on the same type of thing;

7. Received a Freedom of Information Act (FOIA) request from an attorney who represents the University Ave/Beechurst project. Mr. Kennedy asked that a policy for charges regarding any FOIA requests should be developed. Mr. Austin stated there is no formal policy; the first day's work is done at no charge. Any time required over one day is billed at staff time and the cost of copies. Mr. Statler stated he does not think staff time may be charged. Mr. Keller advised the MPO may do whatever the City, County or State does for their requests. Mr. Austin will research this issue;

**VI. WVU TIP AMENDMENTS:** WVU requests that the PRT's projects be included over the life of the TIP so there would need to be fewer TIP amendments to accommodate PRT maintenance. In addition, there is a list of totally WVU funded projects to be included in the TIP as an informational item. Mr. Kennedy stated he has no problem with the projects that are WVU funded, but he believed anything else could not be included until funding was in place. Mr. Austin advised that these projects are funded in the same manner as Mountain Line. Mr. Keller stated that unfunded Projects can always be taken out; it permits WVU to spend that money and it may be shifted without board approval if necessary. Mr. Fisher stated that currently transportation funding is being funded through a continuing resolution for next year and all funding is relatively uncertain until Congress authorizes a new transportation program. Mr. Keller moved the recommended amendments be approved; Mr. Statler seconded it. The motion unanimously passed.

**VII. DRAFT UNIFIED PLANNING WORK PROGRAM.**

- Looking to create/expand the GIS database with travel times; database for traffic counts; includes classification locations and volume counts at 47 locations. Mr. Williams is creating a database of traffic counts.

- Determining administrative time for the LRTP update; does not include funding for the consulting team. Hope to have RFP completed for June 16 policy board meeting.

- 3% cost of living included for MPO staff. Assistant will have salary increase after the September probationary period.

Hope to adopt the UPWP at the June 16 meeting. Comments with changes or concerns may be forwarded to the MPO office.

Mr. Statler requested that the Board be provided with the review instrument for Mr. Austin's Assistant in evaluating whether or not she will receive a raise upon



completion of her probationary period. Mr. Austin will prepare the information and forward to the Board. Mr. Keller asked the full version of the UPWP will be available for public comment prior to adoption by the Board. Mr. Austin stated that it will be on the web when it is considered by the TTAC and that it will also be posted as part of the Policy Board's Agenda prior to the June 16, meeting.

#### **VIII. LRTP UPDATE:**

Mr. Austin had received twelve responses to the RFQ issued for consultants to update comprehensive plan for Morgantown and Star City and to perform the MPO's LRTP Update. David Bruffy, Chris Fletcher, Rich Wood, Terry Hough, Allen Sharp and Mr. Austin and Arlie Forman reviewed the responses. The top three rated were Parsons Brinkerhoff, URS and Burgess and Niple. Interviews are scheduled for May 31 beginning at 2 PM at Mountain Lines offices. Any member wishing to attend may do so.

Mr. Austin asked the policy board that he and the Selection Committee be authorized to negotiate a contract with the firm selected and he hopes to bring the recommendation to the June 16 meeting.

Mr. Austin will prepare a fee proposal. Mr. Keller suggested the consultant chosen be asked to price the proposal. Mr. Austin should also get the proposal priced by a local consultant for comparison purposes. Mr. Austin will check with other MPO's to determine other local consultants that may be used for this purpose. He stated URS did a good job with preparing the urban areas travel demand model and the conversion from QRS II to Transcad but it would have to be updated with new data and validated. The LRTP would need more public involvement to determine the community's vision for the future of the transportation network. Mr. Kennedy stated we need to spend more time looking at future potential development than with public perceptions.

Mr. Statler moved to allow Mr. Austin and the committee to negotiate the contract; seconded by Mr. Kennedy.

Mr. Spencer asked where we stood on financing at the State level. Mr. Keller stated no taxes are being raised and the Federal Government doesn't want to raise the gas tax. The legislature approved a \$40 million tax increase, but it was vetoed. Mr. Keller also stated if the gas tax was raised just 5 cents, a significant difference would be made but no one wants to do that. Mr. Fisher added if the Federal government passed the continuing resolution we would be in good shape.

Mr. Austin suggested looking at funding scenarios could be made part of the planning process. The State typically provides estimates of funding for the LRTP update process.

After a call for the question, the motion unanimously passed.

**IV. TDM and VANPOOLING.** Danielle Williams reported marketing is being expanded by use of social networks.

**1. VPSI.** The vanpool firm is developing a database for van pools. Ms. Williams attended and employee fair at the Mountainlair with at least 2,000 attendees to promote vanpooling. She also attended a fair at Monongalia General which had 16 sign ups and two follow-ups for the vanpooling program.

**2. CMAQ Grant.** The request has been processed by WVDOT. DOT signed off on it and it has been forwarded to the FHA. It will take three weeks to get to headquarters to shift the funds to the FTA. Mr. Keller confirmed that the MPO through Mountain Line may draw on the grant if the FTA gave pre award authority. CMAQ funds of \$10 million year, \$3.9 million is spent in non attainment areas. Mr. Austin stated with the new ozone standards of the Division of Air Quality, there is a good chance we will become non-attainment for ozone.

**3. BOPARC Program.** Ms. Williams is working with BOPARC and the Junior Employee Program. Program now has 10 students between 14 and 16 years of age to develop a transportation fair to inform the public about alternative modes of transportation. (working also with Bicycle Board, Pedestrian Safety Board and Positive Spin). Students will cross educate by going to Senior Centers.

**4. GIS.** Working to expand GIS. Ms. Williams is working with Mike Paugh for a more integrated GIS System.

**5. Traffic Counts.** Working with City for traffic counts of where vanpools are coming from before and after their pickups.

Mr. Fisher asked if any Board members wished to speak to any issues. Mr. Bryer advised he will be off the MPO in July. There is a serious issue with truck traffic through downtown. Asked why Greenbag Road cannot be used by these trucks to stop traffic through downtown; it is causing health, safety and environmental issues. Mr. Spencer stated the Chamber of Commerce is against truck traffic in the downtown area. The issue will be discussed at the next City Council committee of the whole meeting. This needs to be addressed by the MPO.

Mr. Spencer also asked about the three designs for Chestnut, VanVoorhis and Burroughs. Mr. Austin stated no additional feedback has been received from the consulting firm's analysis.

**X. NEXT MEETING.** June 16, 2011.

**XI. ADJOURNMENT.** The meeting was adjourned at 8:05 PM.