

KYOVA Interstate Planning Commission
KYOVA 2020 Participation Plan
Amendment #1
October 15, 2020



KYOVA Interstate Planning Commission
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Amendment #1
KYOVA Interstate Planning Commission Participation Plan
Virtual Public Meeting Policy

To address public health officials and federal, state and local governments response, KYOVA will utilize virtual public involvement technologies and techniques for public participation activities related to metropolitan transportation planning under the applicable statutes, 23 U.S.C. 134-135, as a way to satisfy the public meetings provisions. Therefore, the following guidelines have been established for the public's engagement during times when in-person meetings are not feasible and/or when deemed the needs are best served by a web-based virtual meeting format. Web-based virtual meetings also serve as another method to encourage feedback from individuals who would not typically have the time or transportation to attend a regular public meeting; therefore, they provide an opportunity for a greater number of individuals to participate. The following provides guidelines for use with Virtual Public Meetings.

1. KYOVA may conduct any meeting through video conferencing.
2. The schedule of regular meetings, to include time, place, and format (in-person or video/teleconferencing with specific information on how the public or media organizations can access the virtual meeting) shall be made available to the public on the KYOVA website.
3. The notice shall clearly state that the meeting will be a Video/Teleconference and precisely identify a primary location of the video/teleconference where all members can be seen and/or heard.
 - a. Kentucky KRS 61.846 requires members to be seen and heard. However, during a state of emergency, such as the COVID-19 pandemic, these conditions may be modified or eliminated. KRS SB 150 (8)(b), signed by the Governor on March 30, 2020, provides a temporary exception to the Open Meetings Act to allow public agencies that lack the technological capacity and availability to video teleconference to conduct meetings by audio teleconference. If the meeting is to be conducted under these circumstances, the code (KRS SB 150) should be cited.
4. Any interruption in the video and/or audio broadcast, due to the fault of KYOVA, shall result in the suspension of the video teleconference until the broadcast is restored or rescheduled.
5. If a special meeting is called, a meeting notice shall be delivered to all parties on the KYOVA committee and placed on the KYOVA website for public notification at least 24-hours prior to the meeting. The meeting notice will include meeting time, place, format (in-person or video/teleconferencing to include specific information on how the public or media organization can access the virtual meeting) and agenda. Discussion and action at special meetings shall be limited to items on the agenda in the notice.
6. KYOVA may incorporate web-based virtual meetings as a supplement to in-person meetings. If the meeting is held virtually, the meeting format and information and how the public or media organizations can access virtual meetings will be published on the KYOVA website. Attendees must abide by the established guidelines. All questions, and/or concerns, shall be directed to KYOVA's Executive Director.

Meeting Platforms

KYOVA may participate in a variety of web-based virtual meeting platforms. These platforms will be coordinated with the federal, state, and local community agencies to ensure there are no restrictions governing the format. Web-based platforms may include but are not limited to: Zoom; GotoMeeting; Cisco WebEx; Facebook Live; YouTube; UberConference; and BlueJeans. At a minimum, links to web-based virtual meetings will be published on the KYOVA website.

Policy Board and Technical Committee Meetings

KYOVA virtual meetings will have the option for public participation through use of a call-in number or through a web-based virtual meeting platform as defined above. Members of the public may submit written comments on any agenda item under the virtual meeting process. Deadline for submitting written comments will be 3-business days prior to the meeting date. Any public comments received prior to the deadline will be read into the official record as part of the agenda. To record participation, participants will be asked to sign-in via Chat Box, or other such format, which will constitute as the official sign-in. KYOVA Staff will have a verbal roll call for Policy Committee Meetings. If an individual calls in by phone they will identify themselves and KYOVA Staff will document their attendance. Individuals that do not sign-in or identify themselves will not be recorded as participants.

Members of the public desiring to address the Policy Committee or the Technical Advisory Committee for specific items on the agenda during the virtual meeting may do so provided they contact the KYOVA Office in advance of the meeting. They will be given 3 minutes to address the Policy Committee and/or Technical Advisory Committee and will be prompted when it is their turn to speak. At the Committee Chair's discretion, he/she may allot additional time to the speaker. Minutes of the meeting will be available on the KYOVA website following the meeting. All other meeting guidelines for the Policy Committee and the Technical Advisory Committee will continue to follow Robert's Rules of Order.

Project-based and Other Public Meetings

As a tool to inform and include the public, KYOVA will include virtual meeting component for the public participation process. Web-based virtual meetings, social media, and the KYOVA website will serve as the primary outreach tools. Public meeting materials will be made available in advance of the meeting and will be posted on the KYOVA website. To record participation, the public will be asked to sign-in via Chat Box, or other such format, which will constitute as the official sign-in. If an individual calls in by phone they need to identify themselves so KYOVA Staff may document their attendance. Individuals that do not sign-in or identify themselves will not be documented as a participant. At times, a consulting firm may host public meetings for a specific project and when feasible may provide links to meeting summaries.

Special Accommodations

It is understood individuals may lack reliable internet service and/or access. Therefore, persons with limited internet access may request meeting and/or project information to be mailed to them. The public is also afforded the right to request hard copies of all documents and provide written comments which should be directed to KYOVA Interstate Planning Commission.

**RESOLUTION ADOPTING AMENDMENT #1 TO THE KYOVA
INTERSTATE PLANNING COMMISSION PARTICIPATION PLAN**

- WHEREAS,** the United States Secretary of Transportation, on July 18, 2012, designated Huntington, WV-KY-OH Urbanized Area as a new Transportation Management Area (TMA); and
- WHEREAS,** KYOVA Interstate Planning Commission was designated as the Metropolitan Planning Organization (MPO) by the Governors of West Virginia, Kentucky, and Ohio for the West Virginia counties of Cabell and Wayne, the Kentucky counties of Boyd and Greenup, and the urbanized area of Lawrence County, Ohio; and
- WHEREAS,** 23 CFR 450.316 and Fixing American's Surface Transportation (FAST) Act require that the metropolitan planning process provide for proactive public involvement which provides complete information, timely public notice, full public access to key decisions, and supports early and continuous involvement of the public in developing plans and activities; and
- WHEREAS,** KYOVA has established guidelines as outlined in Amendment #1 to the Participation Plan for the public's engagement during times when in-person meetings are not feasible and/or when deemed the needs are best served by a web-based virtual meeting format; and
- WHEREAS,** Amendment #1 to the KYOVA Participation Plan will be available for a 45-day public review beginning September 1, 2020 and concluding on October 15, 2020; and
- WHEREAS,** approval is contingent upon receiving no proposed significant comments during the public review period;
- NOW, THEREFORE, BE IT RESOLVED** that the Policy Committee of the KYOVA Interstate Planning Commission, at its regularly scheduled meeting on October 2, 2020 endorses and approves Amendment #1 to KYOVA's Participation Plan, which provide guidelines for non-traditional and/or virtual meeting formats.



Robert E. Pasley, Chairman

Date: October 2, 2020



Christopher M. Chiles, Executive Director

Date: October 2, 2020

**PARTICIPATION PLAN
PUBLIC NOTICE
AMENDMENT #1**

Publish:
The Herald Dispatch
www.kyovaipc.org

**PUBLIC NOTICE
KYOVA
INTERSTATE
PLANNING
COMMISSION
AMENDMENT #1
TO THE KYOVA
PARTICIPATION
PLAN**

The KYOVA Interstate Planning Commission is seeking comment for Amendment #1 to the Huntington, WV-KY-OH Urbanized Area Transportation Management Area (TMA) KYOVA Participation Plan. Amendment #1 outlines KYOVA's non-traditional public engagement process.

A 45-day public comment period is required for all Amendments to the KYOVA Participation Plan. Amendment #1's comment period begins September 1, 2020 and will conclude at 4:00 p.m. October 15, 2020. A copy of the Amendment is available online at the KYOVA website (www.kyovaipc.org) under the Public Involvement Tab / Public Comments and Announcements. Interested parties may also contact the KYOVA Office a request a copy.

Due to COVID-19, no in-person public meeting will occur. Therefore, please direct all comments to the KYOVA Office at 304-523-7434, to Saleem Saleem Ph.D., P.E., Deputy Executive Director (ssalameh@kyovaipc.org) or Terri Sicking (tsicking@kyovaipc.org). Written comments will be accepted prior to 4:00 p.m. October 15, 2020. Please direct all written comments to KYOVA Interstate Planning Commission, Attn: Participation Plan, 400 Third Avenue, Huntington, West Virginia 25701.

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