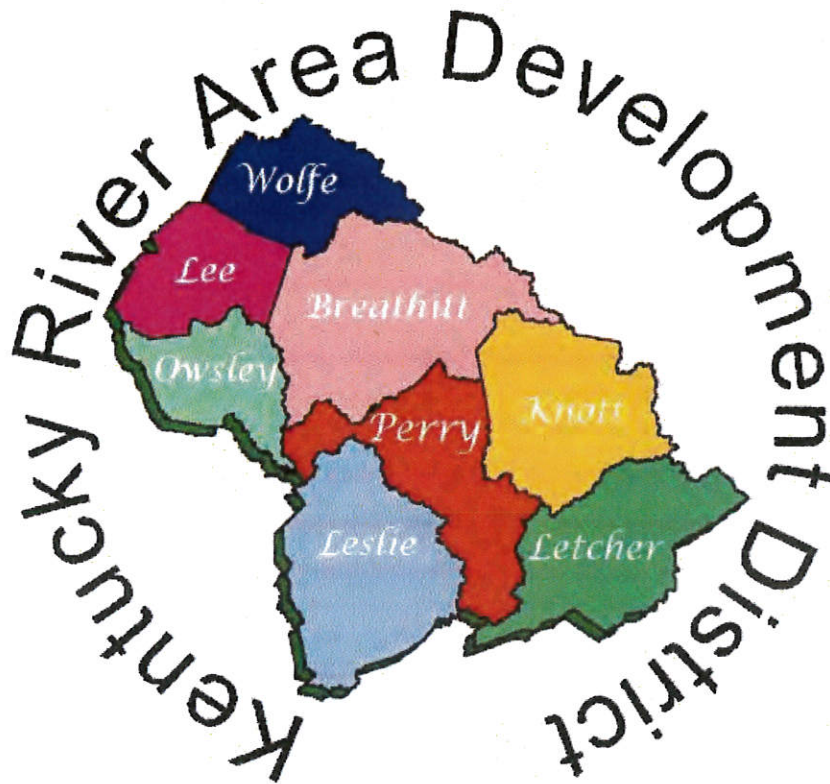


Kentucky River Area Development District



Title VI Plan

January 1, 2024 to December 31, 2024

**This plan was specifically prepared
for the EPA**

COUNCIL MEETING MINUTES

MUNICIPAL BUILDING

February 12, 2024

6:00 P.M.

City Clerk Sally Gilbert; Police Chief Cody Sparks; Public Works Director Ferrell Wise.

The visitors in attendance were Linda Smith – Three Forks Tradition; Jennifer McIntosh – KRADD; Teresa Mays – City of Beattyville; Dedra Brandenburg – Beattyville/Lee County Tourism; Jessica Butler – the Beattyville Enterprise; Rick Drake – City of Beattyville; Paul Nesbitt – Nesbitt Engineering and Ernie and Sheila Martin – Color Real Estate.

Sally Gilbert called the roll. Councilwoman Glenna Cummins, Councilman Ronnie Stamper, Councilwoman Savannah Mays, Councilwoman Charlotte Hogan, Councilman Sam Cockerham and Councilman Mitch Cornelius were present. The members present constituted a quorum.

Sam Cockerham gave the opening invocation.

The pledge of allegiance was conducted.

Mayor Jackson welcomed everyone to the meeting.

Ernie and Sheila Martin asked the city if they could have a piece of property they purchased to be taken back out of the city. After some discussion it was decided to table the discussion until the next council meeting so the council would have time to think about it. A motion to approve tabling the discussion was made by Councilman Ronnie Stamper. Seconded by: Councilwoman Savannah Mays. All voted yes to the motion.

Jennifer McIntosh explained that the city needed to adopt a Title VI plan as a requirement of the Brownsfield grant. She stated that several other cities had adopted the one that KRADD has currently. A motion to adopt the Title VI plan was made by Councilman Ronnie Stamper. Seconded by: Councilwoman Charlotte Hogan. All voted yes to the motion. Jennifer went on to inform the council of several grants and projects that KRADD is currently working on for the city.

Paul Nesbitt gave an update for the projects he is currently working on for the city. A project profile has been created for the screen replacement project for the sewer plan. The KY HWY 11 project is still ongoing with hopes to be completed by summer. The water treatment plant project is 68% completed and there are several other projects in the works.

Dedra and Teresa gave an update on what is going on with main street and tourism. They have applied for a T-Mobile grant that will be used to install wireless speakers on poles around town. These will be used in emergency situations as well as recreational activities. They also have several fiberglass animal statues that will be painted and placed around town. Dedra stated that tourism had received a \$5,000 grant to set up scenes where people can get their pictures taken around town. This would include 5 murals that will be placed

in various locations. Teresa asked the council to approve the first Friday of each month, April through September, for the cruise ins. Also, the annual Beattyville Bourbon & Moonshine Festival will be held on June 22nd. A motion to approve the events was made by Councilman Mitch Cornelius. Seconded by: Councilwoman Glenna Cummins. All voted yes to the motion. Teresa also stated that the dedication of town square has been moved to sometime during the month of April.

A request for the city to purchase space in the district ad book was presented to the council. A motion to purchase a space for \$50 was made by Councilman Mitch Cornelius. Seconded by: Councilwoman Savannah Mays. All voted yes to the motion.

A donation request from Regina Whitely for her daughter in the Jr. Beta Club was presented to the council. A motion to reject the donation request was made by Councilman Ronnie Stamper. Seconded by: Councilwoman Charlotte Hogan. All voted yes to the motion.

Mayor Jackson asked the council to approve the purchase of a Jeep from Ferrell Wise in the amount of \$2800. A motion to approve the request was made by Councilman Sam Cockerham. Seconded by: Councilwoman Savannah Mays. All voted yes to the motion.

Mayor Jackson asked the council to review and approve the January 8, 2023, meeting minutes. A motion to approve the minutes was made by Councilwoman Glenna Cummins. Seconded by: Councilwoman Charlotte Hogan. All voted yes to the motion.

Cody Sparks gave a police report. For the month of January there were a total of 62 calls, 24 citations, 14 arrests and 2 accidents.

Ferrell Wise gave a public works report. For the month of January there was a total of 125 work orders with 92 of those being completed at this time. He stated that a lot of the streetlights had been repaired at this time.

A brief financial report was given. A motion to approve the report was made by Councilwoman Glenna Cummins. Seconded by: Councilman Sam Cockerham. All voted yes to the motion.

Councilman Sam Cockerham stated that he is happy for Clayton Fox on his retirement but that he will be missed.

A motion to adjourn was made by Councilman Mitch Cornelius and seconded by Councilwoman Glenna Cummins. All voted yes to the motion. The council meeting adjourned at 6:58 p.m.

Edward Lee Jackson Mayor

3-12-2024 Date

Sally Helvert Attest

3/12/24 Date

Title VI Plan Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person	Remarks
12/2/2019	Provided Title VI Training at Jenkins City County Meeting	Jenkins City Council	Training completed by City Manager Bennie McCall
12/2/2019	Adopt 2019 KRADD Title VI Plan for City of Jenkins	Jenkins City Council	Approved at 12/2/2019 Jenkins City Council Meeting
12/11/2019	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members	KRADD Board of Directors	Training completed by KRADD Planner Jennifer McIntosh
12/11/2019	Adopt 2019 KRADD Title VI Plan	Signature on Title VI Plan	Approved at the 12/11/2019 KRADD Board of Directors Meeting
10/15/2020	Adopt 2020 KRADD Title VI Plan for the Troublesome Creek Authority	Troublesome Creek Authority	Approved at TEA Meeting
10/15/2020	Provided Title VI Training at Troublesome Creek Authority Meeting	Troublesome Creek Authority	Training completed by KRADD Planner Jennifer McIntosh
11/4/2020	Provided Title VI Training to Staff	KRADD Staff	Training completed by Eunice Holland
11/4/2020	Provided Title VI Plan Training at KRADD Board of Directors Meeting for Board Members	KRADD Board of Directors	Training completed by Eunice Holland
12/6/2021	Provided Title VI Training to Staff	KRADD Staff	Training completed by Title VI Coordinator
12/8/2021	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members/ Adopt Title VI Plan	KRADD Board of Directors	Training completed by Title VI Coordinator
12/5/2022	Provided Title VI Training to Staff	KRADD Staff	Training completed by Title VI Coordinator
12/14/2022	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members and Adopt 2021 Title VI Plan	KRADD Board of Directors	Training completed by Title VI Coordinator
12/4/2023	Provided Title VI Training to Staff	KRADD Staff	Training completed by Title VI Coordinator
12/13/2023	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members and adopt 2022 Title VI Plan	KRADD Staff	Training completed by Title VI Coordinator

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1.0 KRADD Title VI Overview and Policy Statement

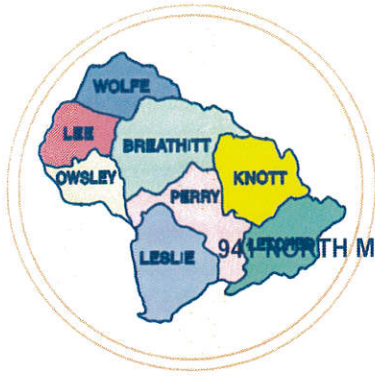
Title VI of the Civil Rights Act of 1964 is a non-discrimination statute. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance" (42 U.S.C. Section 2000d). Each federal department and agency, which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, federal personnel or any federal agreement contract, is authorized, and directed to make the provisions of Section 2000d of this title.

The Kentucky River Area Development District works to ensure nondiscriminatory transportation in support of our mission to provide a safe, secure and reliable highway system that ensures the efficient mobility of people and goods, thereby enhancing both the quality of life and the economic vitality of the Commonwealth.

The KRADD continues its commitment to a workplace compliant with Title VI of the Civil Rights Act of 1964.

Non-Discrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.)
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- U.S. DOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

STANDARD TITLE VI ASSURANCE

Kentucky River Area Development District Standard Title VI Assurances

The Kentucky River Area Development District, (hereinafter referred to as the "Recipient") **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation- Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin 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 DOT, including the **FHWA**.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally-assisted **Federal Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal Highway Programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Kentucky River Area Development District, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will 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 will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or 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 will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, 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 Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, The Kentucky River Area Development District also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Kentucky River Area Development District gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal Highway Program**. This ASSURANCE is binding on Kentucky, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Signed and approved this _____ day of _____ 2023.

Michelle Allen, Executive Director
Kentucky River Area Development District

1.2 KRADD Title VI Policy Statement



Kentucky River AREA DEVELOPMENT DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

**Kentucky River Area Development District
Title VI Policy
Employee Acknowledgement Form**

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of Race, Color, or National Origin, 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 (42 U.S.C. 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964, it is the policy of the Kentucky River Area Development District will not be excluded participation in, deny the benefits of, or subject to discrimination any individual on the grounds of Race, Color, and National Origin.

All Kentucky River Area Development District employees are expected to consider, respect, and observe this policy in their daily work responsibilities and interactions with other employees, clients, and the public. Kentucky River Area Development District employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage and take prompt and reasonable action to avoid or minimize discrimination incidences. If another employee, client, or citizen approaches with a question, concern, or complaint regarding discrimination, please refer them to Kentucky River Area Development District's Title VI Coordinator.

This policy shall be prominently posted in all personnel offices, EEO offices, and on the Kentucky River Area Development District's internal website.

Signed and approved this ____ day of _____, 2023.

Michelle Allen, Executive Director
Kentucky River Area Development District

2.0 Introduction & Description of Services

KRADD submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

KRADD is a sub-recipient of FTA and Regional Transportation Funds and provides service in the Kentucky Counties of Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry, and Wolfe, also known as the Kentucky River Area.

Title VI Coordinator
 Scott Melton
 Title VI Coordinator
 941 N. Main St.
 Hazard, Kentucky 41701
 Phone: 606-436-6158

KRADD must designate a coordinator for Title VI issues and complaints within the organization. The coordinator is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Coordinator include:

- ◆ Maintain knowledge of Title VI requirements.
- ◆ Attend training on Title VI and other nondiscrimination authorities when offered by KYTC or any other regulatory agency.
- ◆ Participating in the design, development, and dissemination of Title VI information to the public via the Notification of Beneficiaries
- ◆ Develop a process to collect data related to race, gender, and national origin of service area population to ensure low-income, minorities, and other underserved groups are included and not discriminated against.
- ◆ Preparing required reports
- ◆ Annually updating the KRADD Title VI Program Plan
- ◆ Implement procedures for the prompt processing of Title VI complaints.

2.1 Program Review Procedures

KRADD is responsible for the following under Title VI:

- ◆ Collecting and analyzing data on minority and low-income populations to determine the potential impact of proposed plans, programs, and projects
- ◆ Ensuring all contract documents contain the appropriate Title VI provisions
- ◆ Consulting with the KYTC Title VI Officer, Coordinator or Liaison, and the OCRSBD Executive Director when complaints are received or issues arise during a public hearing/meeting
- ◆ Ensuring that all people are treated equitably regardless of Race, Color, National Origin
- ◆ Monitoring Title VI accomplishments, notifying the Title VI Officer, Coordinator, or Liaison of the problem areas and summarizing activities for inclusion in the Title VI Plan Update

- ◆ Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects and activities
- ◆ Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on Race, Color, or National Origin,
- ◆ Ensuring that efforts are made to include minority and women-owned businesses in consideration for contracts
- ◆ Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference
- ◆ Providing reasonable accommodations, information in the appropriate language, or interpreters as needed for individuals with disabilities and LEP persons

2.2 Programs or Activities Subject to Title VI

A. U.S. Housing and Urban Development's Community Development Block Grant (CDBG), U.S. Federal Highway Administration funding. U.S. Health and Human Services, Administration for Community Living programs. Funds are designated for the following program areas:

- Housing
- Community Projects
- Public Services
- Public Facilities
- Economic Development
- Community Emergency Relief Fund
- Transportation
- Administration for Community Living

The U.S. Department of Housing and Urban Development (HUD) funded Community Development Block Grant (CDBG) program for DLG, Federal Highway Administration, Department of Labor, Health and Human Services, Administration for Community Living to provide assistance to communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities, providing workforce development to the Kentucky River region, and the provision of services for our Senior Citizens.

- B. Land and Water Conservation Fund (LWCF) provides federal grant funds to protect important natural areas, to acquire land for outdoor recreation and to develop or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trail, natural areas, and passive parks. Potential Beneficiaries: Cities and counties, state and federal agencies are eligible to apply for funding. The maximum grant amount is \$250,000. The minimum amount is \$5,000. It is a 50% matching reimbursement program.
- C. The Recreational Trails Program provides grant funds to develop and renovate recreation trails for both motorized and non-motorized use. It does not fund equipment such as mowers and gators. Potential Beneficiaries: Eligible applicants are city and county governments, state and federal agencies, and nonprofit organizations.
- D. The Appalachian Regional Commission is a federal-state economic development program. To assist in the economic development of Appalachia through a diversity of projects in the areas of public infrastructure (water, sewer, solid waste, housing, and telecommunications), human resource development (education/workforce development, affordable/accessible healthcare, and leadership development) and business/entrepreneurial development. Potential Beneficiaries: Local governments, special districts, and non-profit entities that include Kentucky's 51 most eastern and south-central Counties are eligible to apply for the grant dollars. Thirty-two 'distressed' counties also have access to a separate restricted allocation of funds.
- E. The National Forest Receipts program provides 'pass-through' funds to counties. The State Local Finance Officer receives notice of wire transfer from the US Department of Agriculture Forest Service for funds to be distributed annually to various counties. Potential Beneficiaries: Counties.
- F. The Flood Control Receipts program provides 'pass-through' funds to counties. The State Local Finance Officer receives a check annually from the US Army Corps of Engineers. The check is deposited with the Kentucky State Treasurer, authorization for payment to Counties is processed and checks are then prepared to send this money to the Counties in accordance with the statement from the federal government which was enclosed with the check. Potential Beneficiaries: Counties.

The Kentucky Infrastructure Authority administers two federal grant programs from the Environmental Protection Agency:

1. Capitalization Grants for Clean Water State Revolving Funds aids with (1) construction of publicly owned wastewater treatment works; and (2) nonpoint source management activities. Funds are loaned to local government entities.
2. Capitalization Grants for Drinking Water State Revolving Funds aids with infrastructure improvement projects that are needed to achieve or maintain compliance with Safe Drinking Water Act requirements, protect public health, and assist systems with economic need. Funds are loaned to local government entities.

2.3 Special Emphasis Areas

The Kentucky Transportation Cabinet has continued to provide and monitor Title VI training for all of KRADD Employees and Board of Directors. The Kentucky River ADD conformed to the assessment provided by KYTC in 2015 and has continued to conduct annual Title VI training in 2021, 2022, and 2023.

One-hundred percent of the Kentucky River Area Development employees and Board of Directors completed the required annual Title VI training during 2023. The next annual Title VI training will be conducted in 2024.

Kentucky River Area Development District employees are still required to undergo Title VI training during new employee orientation. The Title VI Coordinator provided a video teleconference training at the KRADD Board of Directors Meeting in December 2023. The training was directed toward KRADD employees and Board of Directors.

Title VI Special Emphasis Areas

- Planning
- Professional Services

These two special emphasis areas were chosen as those are the services provided by KRADD employees. Trends and patterns of discrimination will be monitored through socioeconomic analysis, as well as environmental justice analysis in each area while working on projects in the KRADD service area.

2.4 Responsible Officials

Executive Director, Kentucky River Area Development District

Michelle Allen is responsible for the ADD's adherence and compliance with Title VI via program implementation and policy development.

The Kentucky River Area Development District is responsible for the following:

- Monitoring Equal Employment Opportunity programs, including enforcement of Titles VI and VII of Civil Rights Act

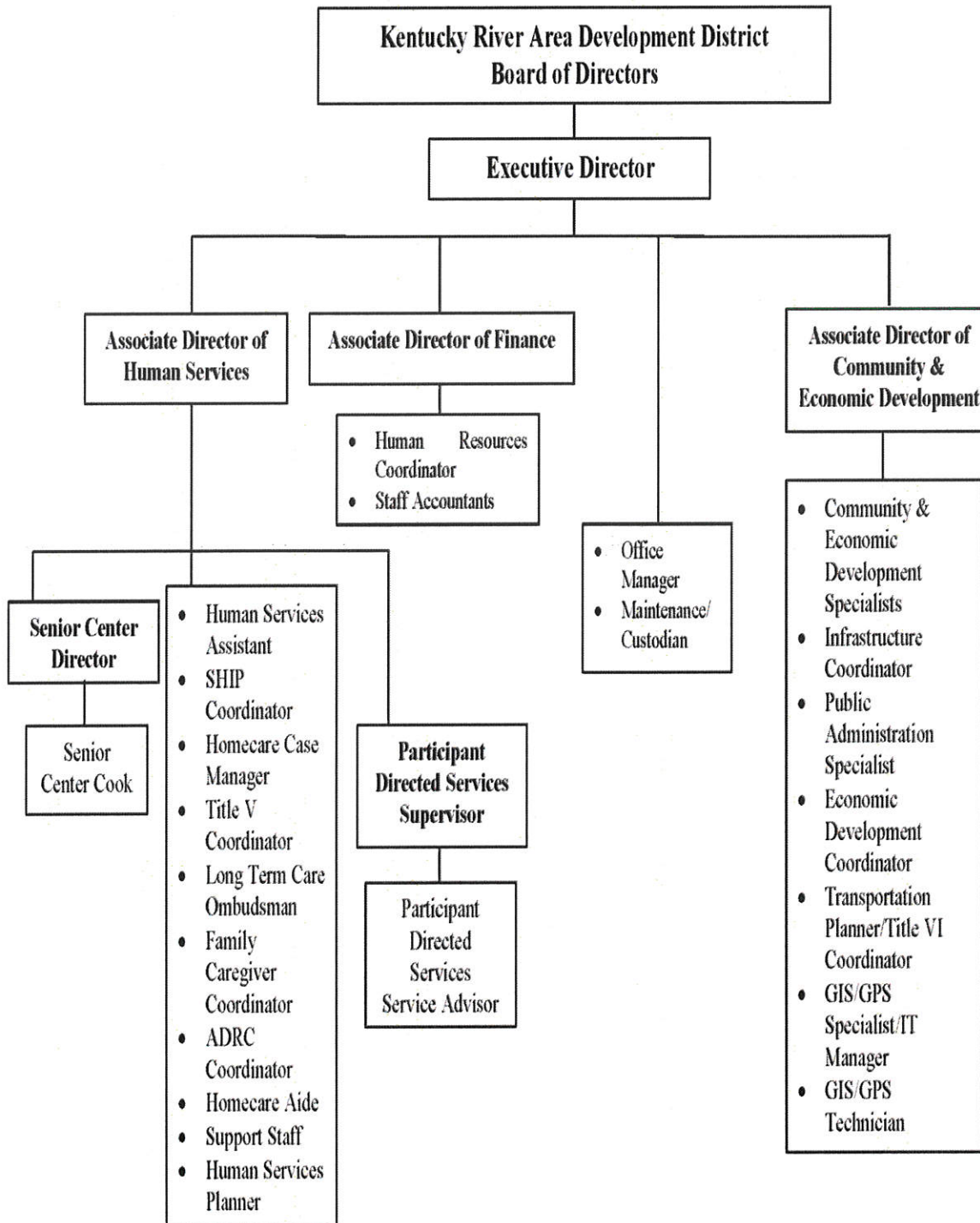
Title VI Coordinator or Liaison

Scott Melton is responsible for the oversight and coordination of KRADD's compliance with Title VI and all related statutes, regulations and directives. The Title VI Coordinator has direct access to the KRADD Director. General responsibilities of the Title VI Coordinator include but are not limited to the following:

- Establishing procedures for processing Title VI program reviews
- Coordinating training Title VI training for KRADD Board of Directors and staff
- Preparing required reports
- Providing guidance and advice on the Title VI Program to KRADD staff using a multi-year approach
- Participating in the design, development, and dissemination of Title VI information to the public via the Notification to Beneficiaries
- Annually updating KRADD's Title VI Program Plan

2.5 KRADD Organizational Chart

KRADD Organizational Chart



KRADD 2022

KRADD Title VI Reporting Structure



2.6 First Time Applicant Requirements

FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.

KRADD is not a first-time applicant for KYTC funding. The following is a summary of KRADD's current and pending federal and state transportation funding.

Current and Pending FTA Funding

Regional Transportation Planning, FY 2022 \$88,454 State + \$9,828 Local

Regional Transportation Planning, FY 2023 \$88,454 State + \$9,828 Local

Regional Transportation Planning, FY 2024 \$83,454 State + \$9,272 Local

2.7 Annual Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

KRADD will remain in compliance with this requirement by annual submission of certifications and assurances as required by all applicable State and Federal Agencies.

2.8 Title VI Plan Concurrence and Adoption

This Title VI Plan received KYTC concurrence on December 14, 2023. The Plan was approved and adopted by KRADD's Board of Directors during a meeting held on December 14, 2023. A copy of this adoption is in Appendix I.

3.0 Title VI Notice to the Public

FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

3.1 Notice to the Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice is found attached as Appendix B of this document. The notice must include:

- ◆ A statement that the agency operates programs without regard to race, color and national origin
- ◆ A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- ◆ A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of KRADD's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of KRADD's office including the reception desk and on the KRADD's website at www.kradd.org.

4.0 Title VI Procedures and Compliance

FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.

Throughout the year, the Title VI Coordinator periodically meets with the Executive Director and Associate Directors of KRADD to review the policies and procedures relative to Title VI. This includes, but is not limited to, a review of files and statistics of complaints received for investigation and services offered to recipients and beneficiaries of KRADD's services.

Self-surveys are periodically completed to examine all facets of the programs offered by KRADD. The Office for Civil Rights and Small Business Development (OCSBD) will also conduct onsite reviews and assessments on a triennial basis. Instances of which the onsite and/or survey reveals that KRADD or one or more of its programs is not in compliance with Title VI an investigation will be conducted by the Title VI Coordinator. Records of the self-survey and efforts put forth to bring the agency into compliance will be maintained. These will include correspondence, resolution and corrective action.

In the event of noncompliance with this plan, or applicable regulations and laws are determined via a complaint investigation or through the self-survey process, KRADD will make every effort to attain full compliance.

The Title VI Coordinator shall notify the appropriate program head in the event a complaint investigation, compliance review or self-survey indicates noncompliance. The notification shall state the condition of non-compliance, recommended approach to correct the situation, and the period for the response and corrective action. The Title VI Coordinator may conduct an interview to consult with the program head regarding the correct approach to remedy noncompliance.

4.1 Complaint Procedure

Any person who believes that he/she or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, or national origin, may file a written complaint. The complaint may be filed by the affected individual or a representative.

A. Timeframe for Filing Complaints and Contact Information:

Complaints should be filed within 180-calendar days from the date of the alleged discriminatory act. Complaints should be submitted in writing and signed and may be filed via mail, fax, in person, or email (which includes a copy of the signed/dated complaint as an attachment); for any person requiring a reasonable accommodation to the contact address listed below:

Executive Director
 Kentucky River Area Development District
 941 N. Main Street
 Hazard, KY 41701
 Phone: 606-436-3158
 Fax: 606-436-2144

Allegations of discrimination received by fax or e-mail will be acknowledged and processed.

Allegations received by phone will be reduced to writing and provided to the complainant for confirmation or revision before processing.

B. Submitting Complaints and Receipt of Complaints

Complaints should be submitted in the following format with the listed information:

- ◆ A signed (by the complainant or the complainant's representative) written explanation of what has happened
- ◆ The complainant's contact information
- ◆ Identification of the respondent, e.g. agency/organization alleged to have discriminated
- ◆ Sufficient information regarding the facts that led the complainant to believe that discrimination has occurred
- ◆ Date (s) of the alleged discriminatory act (s)
- ◆ Signature of the complainant or the complainant's representative

After receipt of the complaint, the Title VI Coordinator shall acknowledge the receipt in writing to the complainant. The acknowledgment shall include notification that an investigation will be conducted. A copy of the complaint and the acknowledgment will then be forwarded to the Kentucky

Transportation Cabinet (KYTC) ADA/Title VI Program Coordinator. Once the complaint is received, KRADD will ensure that the complaint is routed to FHWA Headquarters Civil Rights so that they can determine jurisdiction and who conducts investigation.

The FHWA will conduct all Title VI investigations unless otherwise delegated by FHWA.

FHWA will communicate with complainant the final decision of their investigation.

Since FHWA is a federal authority on Title VI, all letters of finding issued by FHWA are administratively final and no appeals process is available.

Attn: ADA/Title VI Program Coordinator
Office for Civil Rights and Small Business Development (OCRSBD)
200 Mero Street, Sixth Floor West
Frankfort, KY 40622
Phone: 800-928-3079 or 502-564-3601
Fax: 502-564-1491

FHWA has no timeline for investigations.

Records pertaining to complaints, inquiries and investigations will be maintained by the Kentucky River Area Development District.

C. Agencies Authorized to Receive Complaints

Complaints may be submitted to Kentucky River Area Development District (KRADD), Federal Highway Administration (FHWA), Kentucky Transportation Cabinet (KYTC), the United States Department of Transportation (U.S. DOT), and the U.S. Department of Justice (U.S. DOJ).

D. Processing Complaints

Complaints filed with the KRADD in which KRADD is named as the Respondent, shall be forwarded to KYTC to the attention of: ADA/Title VI Program Coordinator for processing within three (3) days of receipt.

In special cases warranting intervention to ensure justice, the FHWA may assume jurisdiction and either complete or obtain services to review or investigate a matter. Materials already obtained by State investigators may be relied upon or supplemented or the matter may be re-investigated.

E. Acceptance and/or Dismissal of Complaints

When any element of KRADD receives an inquiry, comment, or complaint, which alleges or implies discrimination as addressed by Title VI of the Civil Rights Act of 1964, a copy is forwarded immediately to the KYTC ADA/Title VI Program Coordinator. The original document will be forwarded to KYTC ADA/Title VI Program Coordinator, which is responsible for logging in the document and maintaining the required statistical data.

The FHWA office will discuss the matter to determine if it constitutes a Title VI complaint. If it is determined that the issues do not meet a Title VI complaint, the FHWA will submit the appropriate response to the complainant.

If it is determined that the issues constitute a Title VI complaint, FHWA will determine responsibility and the need for additional information. FHWA may request additional information and/or clarification. KRADD shall maintain a log of complaints filed with and investigated by KRADD.

The KRADD Executive Director will respond in writing, acknowledging receipt of complaint within 10 days from date of receipt. After reviewing the complaint,

The FHWA may dismiss complaint for the following reasons:

1. The complaint filed in an untimely manner
2. The complaint does not allege a basis covered by the statutes for which KYTC is responsible
3. The complaint does not allege any harm with regard to covered programs or statutes
4. The complainant requests the withdrawal of the complaint
5. The complainant fails to respond to repeated requests for additional information needed to process the complaint
6. The complainant cannot be located after reasonable attempts
7. The complainant fails to accept a reasonable resolution. Reasonableness to be determined by the Headquarters Civil Rights (HCR) Office via the FHWA Division Office
8. The complainant has filed a legal action in Federal District Court with the same basis and issue(s) involved in the complaint
9. The same complaint's allegations have been filed with another federal, state, or local agency

Acceptance of a complaint will be determined by the following:

1. Timely filing of the complaint
2. If the allegations involve a covered basis such as race, color, or national origin
3. If the allegations involve a program or activity of a federal aid recipient, sub - recipient, or contractor

All complaints received by KRADD will be logged for tracking purposes.

F. Withdrawal of a Complaint

The complainant may withdraw his or her complaint. To withdraw a complaint the complainant will need to contact FHWA. The complainant must submit a signed written withdrawal to the following:

Federal Highway Administration Headquarters - Office of Civil Rights
1200 New Jersey Avenue, SE HCR-40, Room E81-101
Washington, DC 20590
202-366-0693 or Fax: 202-366-1599
TTY: 202-366-5751

G. Appeal Process

There is no appeals process available since investigation decisions made by FHWA are administratively final:

Discrimination complaints may be filed with the KYTC before, during, or after the complaint has been filed with the KRADD.

This procedure does not deprive the complainant his or her right to file a complaint with:

- The U.S. Department of Transportation:www.dot.gov
- The U.S. Department of Justice:www.usdoj.gov
- Federal Highway Administration:www.fhwa.dot.gov

H. Final Agency Reports

The Headquarters Civil Rights (HCR) Office via the FHWA Division Office will issue all Final Agency Decisions (FADs) and dismissals.

The Department of Justice's Civil Rights Division takes the position that a Title VI finding of violation or no violation is a federal decision that cannot be delegated. Although a state recipient can conduct a Title VI investigation of its sub-recipients or contractors and make a recommendation to the federal decision-making authority, KYTC must submit its proposed dispositions to FHWA for a Final Agency Decision. The HCR may request that further investigation be undertaken if the record of evidence is incomplete.

4.2 Record Retention and Reporting Policy

KRADD's Title VI Plan will be submitted to all applicable State and Federal Agencies as needed. Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

4.3 KRADD Title VI Training Plan

KRADD will provide written notice to all current employees and Board of Directors concerning the KRADD's commitment to assuring compliance with Title VI. For new employees, there will be a Title VI module conducted during New Employee Orientation. The KRADD Title VI Coordinator will attend and subsequently disseminate the benefit of the training to KRADD staff.

As a part of the Sub-recipient Monitoring Program the KYTC Title VI Officer, Coordinator, or Liaison will conduct reviews and KRADD will be provided with explanatory materials and technical assistance as necessary to ensure their knowledge of, and compliance with Title VI requirements.

To aid in these efforts the OCRSBD developed the Title VI/Nondiscrimination Reference Guide for Sub-recipients. The guide serves as a point of reference and provides guidance for sub-recipients to better comprehend and comply with Title VI and the related nondiscrimination laws and regulations which are applicable to federal financial assistance that is awarded through KYTC.

Moving forward KRADD plans to continue its training efforts by implementing and providing in person training to employees, sub-recipients, and stakeholders.

Training was held on December 4th, 2023 to all staff members at the KRADD Office. A list of all attendees will be provided as an attachment Appendix J. Training for the Board of Directors was held on December 13, 2023 during the Board of Directors meeting for members of the Board at the KRADD Office. Training for 2023 was scheduled for December 4th, 2023 for staff members and December 13th, 2023 during the Board of Directors meeting for members of the Board. Training will be conducted annually as needed.

4.4 Contractors and Subcontractors

KRADD is responsible for ensuring that contractors are following Title VI requirements. Contractors may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. KRADD contractors and subcontractors may not discriminate in their employment practices in connection with federally assisted projects. Contractors and subcontractors are not required to prepare or submit a Title VI Plan.

Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") 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 Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, 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 Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation 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 subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis 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 Kentucky Transportation Cabinet, the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 Kentucky Transportation Cabinet, the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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, KRADD shall impose contract sanctions as 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 paragraphs (1) through (6) in every subcontract, including procurement 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 KRADD, Kentucky Transportation Cabinet, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.

5.0 Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), KRADD must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by KRADD in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to Kentucky Transportation Cabinet.

KRADD has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years of calendar years 2021, 2022, or 2023. A summary of these incidents is recorded in Table 1.

Table 1: Summary of Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				
Lawsuits				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				
Complaints				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				

6.0 Public Participation Plan

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Public Participation Plan (PPP) for KRADD was developed to ensure that all members of the public, including minorities, disabled, low income and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for KRADD. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about KRADD services and to provide a means for considering public comment. The PPP is included as Appendix D to this Title VI Plan.

Current Outreach Efforts

KRADD is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of KRADD's recent, current, and planned outreached activities.

- ◆ Conduct local or regional public/information meetings as requested
- ◆ Utilizing the KRADD newsletter to reach, educate and inform the public on various programs
- ◆ Conducting meetings with local officials and interested community leaders
- ◆ Using e-mail lists to provide information materials to interested persons and agencies
- ◆ Using advisory committees/groups to include a more diverse group of individuals and representation of the region.
- ◆ Utilizing the KRADD Website and Facebook to post projects/information/comments and providing a link for public feed back
- ◆ Address civic groups, chamber of commerce, tourism, and government meetings
- ◆ Attending fiscal court and city council meetings
- ◆ Utilizing local newspapers to help reach more sectors of the public
- ◆ Conduct public meetings at county courthouse, city hall, or local community centers
- ◆ Utilize existing services/programs at the KRADD to distribute information (i.e. Child Care, Housing, Aging) this could provide more opportunities to reach low-income, minority, and elderly populations
- ◆ Utilize local county and city access radio stations
- ◆ Use surveys in newsletters, mail-outs, e-mails, etc. to gain public input

7.0 Language Assistance Plan

FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).

KRADD conducts regional planning within the Kentucky River Area of Eastern Kentucky. The Language Assistance Plan (LAP) has been prepared to address KRADD's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the KRADD service area there are 104,808 residents with 0.34 percent that speak a language other than English or who describe themselves as not able to communicate in English very well (Source: US Census 2020 American Community Survey 5 Year Data Table B16004 Total Population Speak English Less Than Very Well). KRADD is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The KRADD has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop LAP. The LAP is included in this Title VI Plan as Appendix E.

8.0 Data Collection/Reporting/Analysis

Statistical data on race, color, national origin, sex, age, disability, and LEP of participants in and beneficiaries of the KRADDs programs, (i.e., affected populations, and participants) will be gathered, analyzed, and maintained by the District to determine the transportation investment benefits and burdens to the population, including minority and low-income populations. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration.

Analysis of the data collected by the program emphasis areas may include:

- The race, color, national origin, sex, age, disability, income and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment
- Persons to include in the decision-making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Strategies to address impacts
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- The present or proposed membership, by race, color, or national origin in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information

8.1 Environmental Justice

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions, in minority and low-income communities, to promote nondiscrimination in federal programs substantially affecting human health and the environment and to provide minority and low-income communities access to public information on and an opportunity for public participation in matters relating to human health or the environment.

The KRADD will utilize the US Census Bureau data, the American Community survey data, and the following checklist to identify targeted populations:

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions
- Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially

8.2 Categorical Exclusion

Per 40 C.F.R 1508.4 categorical exclusion means a category of actions, which do not individually or cumulatively have a significant effect on the human environment and for which, therefore neither an environmental assessment nor an environmental impact statement, is required.

Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and based on experience with similar actions do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area, do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns and do not otherwise, either individually or cumulatively have any significant environmental impacts (23 C.F.R. 771.117(a)).

Any action normally classified as a CE, but could involve unusual circumstances, will require the Administration, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include (23 CFR 771.117(b)):

- Significant environmental impacts

- Substantial controversy on environmental grounds

- Significant impact on properties protected by Section 4(f) of the DOT Act or section 106 of the National Historic Preservation Act

- Inconsistencies with any federal, state, or local law, requirement or administrative determination relating to the environmental aspects of the action

A specific list of CEs that normally do not require any NEPA documentation or FHWA approval is set forth in 23 CFR 771.117(c). Other projects, pursuant to 23 CFR 771.117(d), may also qualify as CEs if appropriately analyzed, documented and approved by FHWA at the Division level.

9.0 Transit Planning and Advisory Bodies

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

The KRADD Board consists of 40 members appointed by the appropriate elected official. KRADD will make efforts to encourage minority participation on the committee. These efforts are made by distributing information about the participation on the committee at public meetings and throughout the transit system.

Table 2: Population by Race in KRADD Service Area and Transportation Committee in 2023

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Service Area Population	96.56%	1.04%	0.86%	0.36%	0.20%	0.0%
Transportation	99%	0.0%	1%	0.0%	0.0%	0.0%

10.0 Title VI Equity Analysis

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

Title 49 CFR, Appendix C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, KRADD will ensure the following:

1. KRADD will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. KRADD will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, KRADD will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If KRADD determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, KRADD may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. KRADD must demonstrate and document how both tests are met. KRADD will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The KRADD has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, KRADD does not have any Title VI Equity Analysis reports to submit with this Plan. Your Community Transit will utilize the demographic maps included in Appendix F for future Title VI analysis.

11.0 Sub-Recipient Review

KRADD shall make every effort to regulate, monitor, review, and report on federal programs to ensure compliance using FHWA's Nondiscrimination/Title VI Guidelines. KRADD's Title VI Coordinator will work with program staff (Title VI liaisons) to conduct periodic pregrant and post-grant reviews of select sub-recipients of FHWA funds or other federal funds to ensure adherence to Title VI requirements; reviews use a combination of desk and on site audits. Appropriate program staff members will routinely update the Title VI guidelines provided to consultants, contractors and sub recipients including Title VI language, provisions, and other related requirements.

Upon a finding by KRADD of noncompliance by a sub-recipient, the Title VI Coordinator, or his/her designee, shall immediately notify the Responsible Official in writing of the violations held to constitute noncompliance with Title VI and of the steps necessary to correct these violations. The Responsible Official shall implement corrective actions within thirty (30) days of receipt and acceptance of the notification of recommended corrective action.

If an attempt to secure voluntary compliance with Title VI does not occur within thirty (30) days, or a reasonable period of time, the Responsible Official may, in the case of grant sub-recipients, face termination or suspension of the contractual relationship with KRADD.

KRADD does not currently have sub-recipients.

12.0 Appendices

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APPENDIX A
General Reporting Requirements

Every three years, on a date determined by Federal Transit Administration (FTA), each recipient is required to submit the following information to the FTA as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements

All recipients must submit:

- ◆ Title VI Notice to the Public, including a list of locations where the notice is posted
- ◆ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ◆ Title VI Complaint Form
- ◆ List of transit-related Title VI investigations, complaints, and lawsuits
- ◆ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ◆ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ◆ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ◆ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ◆ A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- ◆ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ◆ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

APPENDIX B
Title VI Notice to Public



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

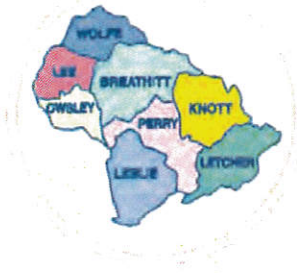
Notifying the Public of Rights under Title VI

Kentucky River Area Development District (KRADD)

- ◆ KRADD operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with KRADD.
- ◆ For more information on KRADD's civil rights program, and the procedures to file a complaint, contact the KRADD at:

Address: 941 N. Main St., Hazard, KY 41701
 Phone: 606-436-3158
 TDD 1-800-247-2510
 Email: scott@kradd.org
 For more information, visit www.kradd.org.

- ◆ If information is needed in another language, contact 606-436-3158. Una versión traducida de este documento puede estar disponible a petición.



Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

Notificación al público de derechos bajo el título VI

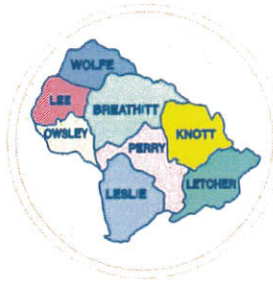
Distrito de desarrollo del área del río Kentucky (KRADD)

- ◆ KRADD opera sus programas y servicios sin tener en cuenta la raza, el color y el origen nacional de acuerdo con el título VI de la ley de derechos civiles. Cualquier persona que crea que ella o él ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el título VI puede presentar una queja ante KRADD.
- ◆ Para más información sobre el programa de derechos civiles de KRADD y los procedimientos para presentar una queja, comuníquese con el KRADD a:

Dirección: 941 N. Main St., Hazard, KY 41701
teléfono: 606-436-3158
TDD 1-800-247-2510
email: scott@kradd.org
para más información, visite www.kradd.org.

- ◆ Si necesita información en otro idioma, comuníquese con 606-436-3158.

APPENDIX C
Title VI Complaint Form



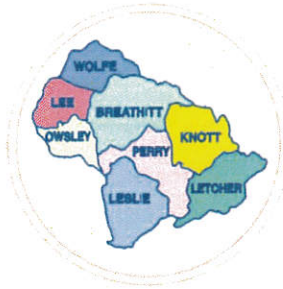
Kentucky River

AREA
DEVELOPMENT
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

Kentucky River Area Development District (KRADD) Title VI Complaint Form

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Required?	Large Print		Audio Tape
	TDD		Other
Section II:			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
Section III:			
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin			
Date of Alleged Discrimination (Month, Day, Year):			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.			
Section IV			
Have you previously filed a Title VI complaint with this agency?		Yes	No



Kentucky River

AREA
DEVELOPMENT
DISTRICT

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**Kentucky River Area Development District (KRADD)
Title VI Complaint Form
Page 2**

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, check all that apply: <input type="checkbox"/> Federal Agency <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:
Section VII
Do you have an attorney regarding this matter? If yes, please provide attorney's contact information.
Name of Law Firm
Name of Representing Attorney
Mailing Address
City, State, Zip
Phone

You may attach any written materials or other information that you think is relevant to your complaint.
We cannot accept an unsigned complaint. Please sign and date the complaint form below.

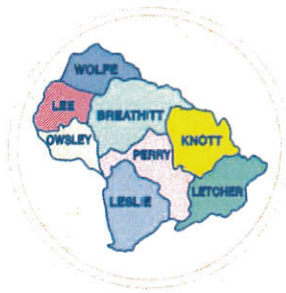
Complainant's Signature Date

Please submit this form in person at the address below, or mail/fax this form to:

Whitney Chesnut, Executive Director
Cumberland Valley Area Development District
P.O. Box 1740
342 Old Whitley Road
London, Kentucky 40743
Fax: 606-878-7361

FOR OFFICE USE ONLY

Date Complaint Received: _____ Case # _____
Processed By: _____ Date Referred: _____
Referred To: KYTC Other _____



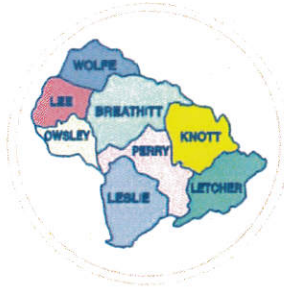
Kentucky River

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Distrito de Desarrollo del Área del Río Kentucky (KRADD) Plan del Título Seis

Sección Uno			
Nombre:			
Habla a:			
Teléfono (Casa):		Teléfono (Trabajo):	
Dirección de correo electrónico:			
¿Se requiere formato accesible?	Letra grande		Cinta de audio
	TDD		Otra
Sección Dos:			
¿Está presentando esta queja en su propio nombre?		SI*	No
*Si respondió "sí" a esta pregunta, vaya a la Sección tres.			
De lo contrario, proporcione el nombre y la relación de la persona por la cual se está quejando:			
Explique por qué ha presentado una solicitud para un tercero:			
Confirme que ha obtenido el permiso de la parte perjudicada si está presentando una solicitud en nombre de un tercero.		SI	No
Sección Tres:			
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda): <input type="checkbox"/> Carrera <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional			
Fecha de presunta discriminación (mes, día, año):			
Explique lo más claramente posible qué sucedió y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo. Si necesita más espacio, utilice el reverso de este formulario.			
Sección Cuatro			
¿Ha presentado previamente una queja de Título seis ante esta agencia?		SI	No



Kentucky River

AREA
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Distrito de Desarrollo del Área del Río Kentucky (KRADD) Plan
del Título Seis
Página 2

Sección Cinco
¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal? <input type="checkbox"/> Sí <input type="checkbox"/> No
En caso afirmativo, marque todo lo que corresponda: <input type="checkbox"/> Agencia Federal <input type="checkbox"/> Corte federal <input type="checkbox"/> Agencia del estado <input type="checkbox"/> Tribunal estatal <input type="checkbox"/> Agencia local
Proporcione información sobre una persona de contacto en la agencia / tribunal donde se presentó la queja.
Nombre:
Título:
Agencia:
Habla a:
Teléfono:
Sección Seis
El nombre de la queja de la agencia es contra:
Persona de contacto:
Título:
Número de teléfono:
Sección Siete
¿Tiene un abogado con respecto a este asunto? En caso afirmativo, proporcione la información de contacto del abogado.
Nombre de la firma de abogados:
Nombre del Abogado Representante:
Dirección de envío:
Código postal:
Teléfono:

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.
No podemos aceptar una queja sin firmar. Firme y feche el formulario de queja a continuación.

Firma del demandante _____

Fecha _____

Envíe este formulario en persona a la dirección que figura a continuación o envíe este formulario por correo o fax a:

Whitney Chesnut, Executive Director
Cumberland Valley Area Development District
P.O. Box 1740
342 Old Whitley Road
London, Kentucky 40743
Fax: 606-878-7361

SÓLO PARA USO DE OFICINA

Fecha de recepción de la queja: _____ Caso # _____
Procesado por: _____ Fecha de referencia: _____
Referido a: KYTC Otra _____

APPENDIX D
Public Participation Plan

Introduction

The Kentucky River Area Development District (KRADD) will provide public involvement opportunities to allow all persons to be involved in the planning process and provide an avenue for the public voice to be heard by the key decision makers. This action will provide opportunity for all persons and interest groups to participate in the identification, evaluation, and recommendation of needs within the region. The KRADD will make every effort to include the disadvantaged and under-served populations (i.e. elderly, minority, low-income and disabled populations as well as all other effected populations in the region) on committees and/or in public meetings held for the purpose of soliciting input for plans, issues and/or projects.

The KRADD public participation plan will use a broad-brush approach because there is no overwhelming population center for the traditionally underserved, and the size of these populations is relatively small. Third party group members will be identified across the service area to aid in the outreach efforts of the traditionally underserved. The widespread use of newspapers, radio, and television can be used to potentially reach the underserved. Traveling exhibits may also be utilized during local events and strategically placed locations throughout the region to reach the underserved populations.

List of Resources

In order to expand participation opportunities, the Kentucky River ADD has initiated a list of resources for general and targeted outreach methods for the region. All of the items listed may not be used at the same time or may not be used at all, but could be used in the future by the ADD to include those persons who have been traditionally underserved by the existing transportation system and for the general participation procedures. The ADD maintains a detailed listing of contact information and may be obtained by contacting the ADD transportation planner.

1. Third Party Groups

The Kentucky River ADD will seek to increase public outreach to the underserved populations by contacting third party groups and asking for their assistance in creating public awareness concerning transportation related issues. The agencies, groups or people that wish to aid can be utilized to distribute materials pertaining to the statewide planning process. The members may be able to utilize their brochures, newsletters, word of mouth, etc concerning public meetings, announcements of public review and comment periods for statewide planning documents by sharing and distributing the information with the populations they service. These groups may include, but not be limited to the following:

- ◆ Senior Citizen Centers
- ◆ Public Libraries
- ◆ Public Health Departments
- ◆ Public Transit Authorities
- ◆ NAACP
- ◆ Housing Authorities
- ◆ U.S Post Offices
- ◆ County/City Clerk’s Office
- ◆ United Way
- ◆ Churches
- ◆ Migrant Education Programs
- ◆ Adult Education Programs
- ◆ Chambers of Commerce
- ◆ Community Based Services
- ◆ Human Relations Commissions
- ◆ State Government Agencies
- ◆ Disabled American Veterans
- ◆ University of Kentucky Extension Service
- ◆ Historical Societies
- ◆ Local Tourism Groups

2. Public Meetings

The Kentucky River ADD will hold local or regional public information/input meetings as requested by the KYTC or by the RTC to provide additional opportunities for public comments related to transportation issues and the transportation planning process. The meetings will be held in-person or virtually, depending on requirements.

3. KRADD Website & Facebook Page

The Kentucky River ADD Website is located at www.kradd.org and has a link dedicated to the transportation planning process. The website provides an explanation of the planning process and its purpose, several documents and maps for review and information on upcoming meetings. This information is vital for the public participation process as it allows citizens the opportunity to understand the statewide planning process and take advantage of upcoming meetings. Further commitments to providing information will continue in an effort to make documents and forms electronically accessible formats for easy viewing. Virtual Meetings are broadcasted live on the KRADD Facebook page.

4. Newspapers

Information can be sent to the local newspapers in the region. While none are identified as targeting specific traditionally underserved audiences, all have the potential to have traditionally underserved subscribers. Information can be distributed to the newspapers relating to media releases with announcements of meeting dates and locations, announcements of documents available for public review and comment, and information about the statewide planning process.

5. Radio

Information can be sent to radio stations that serve the region. None are identified as targeting specific traditionally underserved audiences, but all have the potential to have traditionally served underserved listeners. Public meeting invitations can be sent to the stations along with media releases with announcements of meeting dates and locations and information about the statewide planning process or statewide documents available for public review and comment.

6. Television

Information can be sent to television stations that serve the region. This could include regular network broadcast stations as well as local cable access channels that may be available throughout the region. These channels can also be utilized in creating public awareness.

- ◆ Public Libraries
- ◆ U.S. Post Offices
- ◆ County Court Houses
- ◆ City Halls
- ◆ Local Community Centers
- ◆ Meeting Halls
- ◆ Churches
- ◆ Chambers of Commerce
- ◆ KYTC Highway District Office
- ◆ Area Development District
- ◆ Schools
- ◆ Public Housing Authorities
- ◆ Senior Citizens Centers/Housing
- ◆ Malls & Shopping Centers
- ◆ Special Event Locations
- ◆ Historical Societies
- ◆ Local Museums
- ◆ Other Identified Locations through Planning Process

APPENDIX E
Language Assistance Plan

I. Limited English Proficiency

KRADD provides planning services in the Kentucky River Region of Eastern Kentucky. The Language Assistance Plan (LAP) has been prepared to address KRADD's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the KRADD service area, 0.43 percent speak a language other than English or who describe themselves as not able to communicate in English very well (Source: US Census). KRADD is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. KRADD has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

The KRADD has an on-going commitment to ensure effective communication by developing and implementing policies and procedures for identifying and assessing the language needs of its LEP applicants/clients; and provide for a range of language assistance options, which include, but are not limited to the following:

- Conduct needs assessment
- Kentucky Relay Service – TDD/Voice Users
- "I Speak" cards
- Written language service
- Qualified Bilingual staff
- Access to qualified interpreters
- Community-based organizations/volunteers
- Develop written assessment
- Monitor and evaluation access to language assistance

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use KRADD services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a KRADD program, activity, or service.
2. The frequency with which LEP persons come in contact with KRADD programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by KRADD to the LEP population.
4. The resources available to the KRADD and overall cost to provide LEP assistance.

Who is a Limited English Proficient Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

- a Factor 1: The number and proportion of LEP persons in the service area who may be served or are likely to encounter a KRADD program, activity, or service.

The Kentucky River Area Development District is composed of eight counties: Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry, and Wolfe. The KRADD is comprised of 2.37% of the state’s population and according to census data is made up of 96.56% white, 0.86% Black, 0.36% Asian, 0.20% American Indian-Alaskan Native, and 1.04% Hispanic. The KRADD region is noted to have 1.42% of the population that speaks a language other than English at home. The data has shown that the percentages of LEP in the area are low but are expected to increase over the next several years.

The table below shows the populations and data in each of KRADD’s counties:

KRADD Area Population Statistics in 2023

KRADD 8 County Region	Total Population	Elderly Ages 65+	No Vehicle Available (Workers 16 Years +)	Disable Aged 65 Years -	Speak a Language Other Than English at Home	Caucasian	African American	American Indian Alaskan Native	Asian	Hispanic	Persons In Poverty Level
Breathitt	13,652	17.20%	2.11%	26.50%	1.00%	96.10%	1.00%	0.20%	0.70%	1.10%	31.00%
Knott	14,506	18.60%	2.30%	25.00%	1.00%	96.70%	1.00%	0.20%	0.20%	1.00%	32.00%
Lee	7,263	17.80%	0.95%	21.70%	1.00%	94.20%	1.30%	0.00%	0.10%	1.20%	33.50%
Leslie	10,622	17.90%	2.23%	20.40%	1.00%	97.00%	0.40%	0.00%	0.30%	0.10%	29.80%
Letcher	21,784	19.30%	1.06%	24.10%	1.50%	97.00%	0.40%	0.10%	0.30%	0.90%	29.10%
Owsley	4,094	22.50%	2.37%	28.70%	0.00%	97.70%	0.70%	0.40%	0.10%	1.80%	35.60%
Perry	28,421	16.70%	2.68%	25.20%	3.20%	95.90%	1.70%	0.20%	1.00%	1.10%	29.90%
Wolfe	6,666	16.70%	1.38%	33.30%	2.40%	97.90%	0.40%	0.50%	0.20%	1.10%	29.00%
KRADD	107,008	18.34%	1.89%	25.61%	1.42%	96.56%	0.86%	0.20%	0.36%	1.04%	31.24%

Source: DP05 ACS Demographic and Housing Estimates

b Factor 2: The frequency with which LEP persons come in contact with KRADD programs, activities, or services.

It is expected that the number of foreign-born residents in Kentucky will continue to rise as well as an increase in the number of Spanish speaking residents. KRADD will continue to monitor changes in demographics as they become available through Census and Studies. KRADD will also work closely with other agencies in the area for updated and available information.

KRADD will monitor the frequency with which LEP individuals come in contact with the program and services. KRADD will report all encounters with LEP persons through the Public Transit Reports and public participation documentation on an as needed basis. Reporting accuracy will improve with on-going training and tracking measures implemented. As of January 1, 2023, KRADD has had no requests from LEP individuals regarding Language Assistance. However, the KRADD will continue to monitor and track encounters with LEP persons.

c Factor 3: The nature and importance of programs, activities, or services provided by KRADD to the LEP population

The purpose of the Area Development District (ADD) is to improve the quality of life in the Kentucky River by promoting economic development to provide basic facilities essential to the stimulation of business, manufacturing, services, tourism and commercial activities; and through efforts promoting human resource development to improve health, welfare and education systems within the eight county area; and provide a forum for elected officials and citizens to reach a consensus and establish local-state-federal partnerships to seek a coordinated solution to problems. In addition, the KRADD (planning and service area) is designated as the Area Agency on Aging and is responsible for regional planning, coordination and advocacy on behalf of older persons. KRADD is taking steps in order to increase outreach efforts to LEP language groups. For example, KRADD notes on our website and all advertisements and meeting notices that translation services and/or auxiliary aids are available upon request at no cost.

d Factor 4: The resources available to the recipient and costs

Oral language services include bilingual Customer Service Representatives. Customer Service Representatives are available upon request to answer questions. In addition to these oral language services, several written language services are available.

Other language barriers may be resolved by using websites such as www.freetranslation.com, www.translate.google.com, and www.babelfish.yahoo.com for assistance in translation.

These additional language assistance tools will be utilized to assist LEP individuals at no additional cost. The notice of "language assistance at no cost" will be added to our advertisements and website.

III. Staff Training

Part of KRADD's LEP plan is deciding what level of staff training is needed. It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP plan. Properly training staff is a key element in the effective implementation of the LEP plan. Staff is trained to recognize when an LEP person needs language assistance and respond by providing information in a format that the LEP person can understand.

IV. Evaluation of the LEP Plan

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate.

V. Safe Harbor Provision

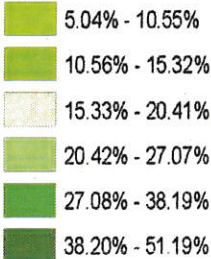
DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

KRADD service area does not have LEP populations, which qualify for the Safe Harbor Provision. As shown in Appendix H, KRADD does not have LEP groups, which speak English less than "very well" that exceed either 5.0% or 1,000 people. However, KRADD will provide good faith efforts to meet the needs of the LEP population if and when necessary.

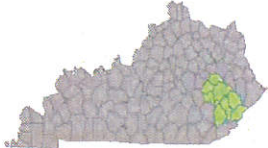
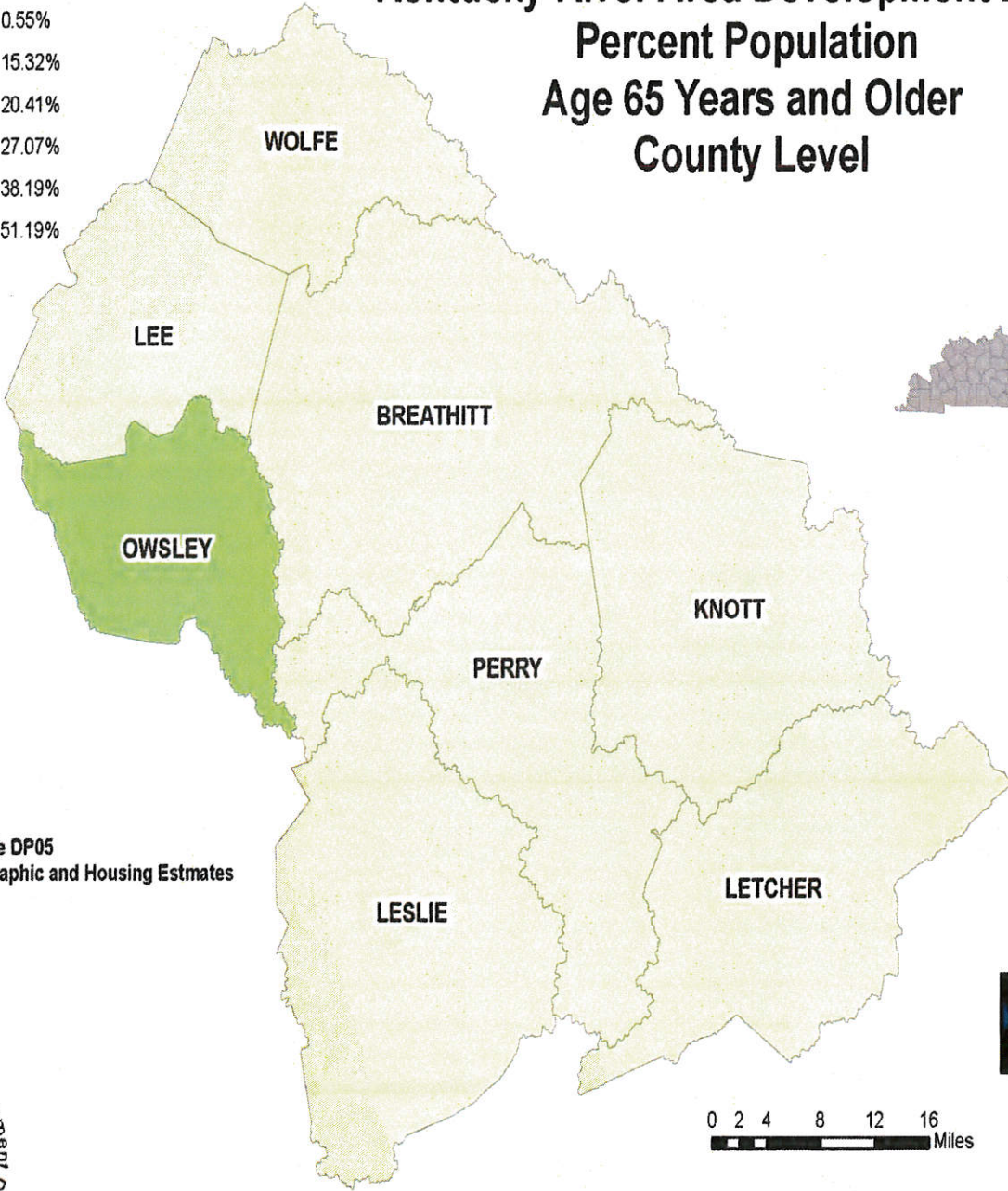
The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. KRADD may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

APPENDIX F
KRADD Service Area Demographic Maps

Population % 65 Years and Older



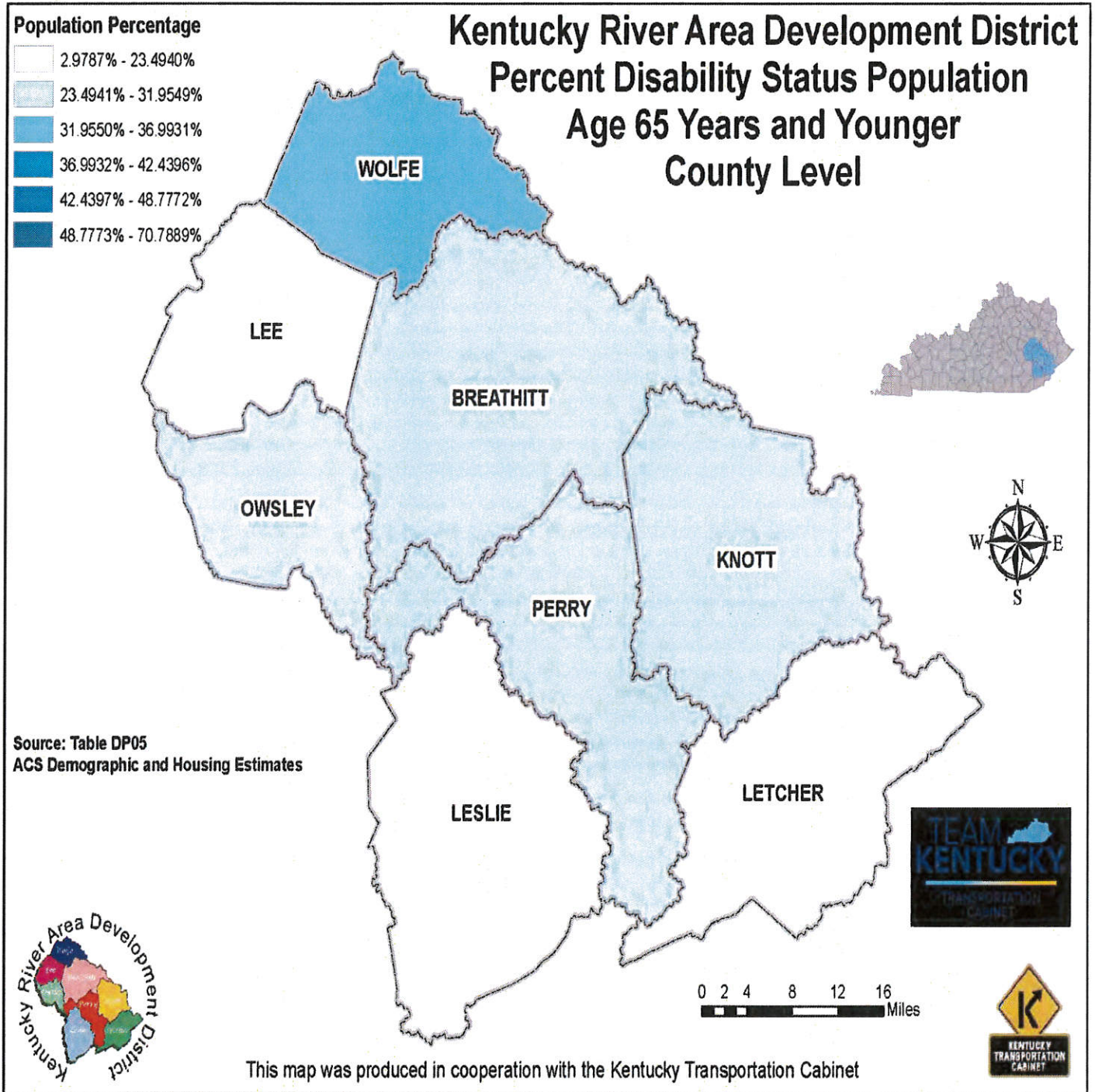
Kentucky River Area Development District Percent Population Age 65 Years and Older County Level

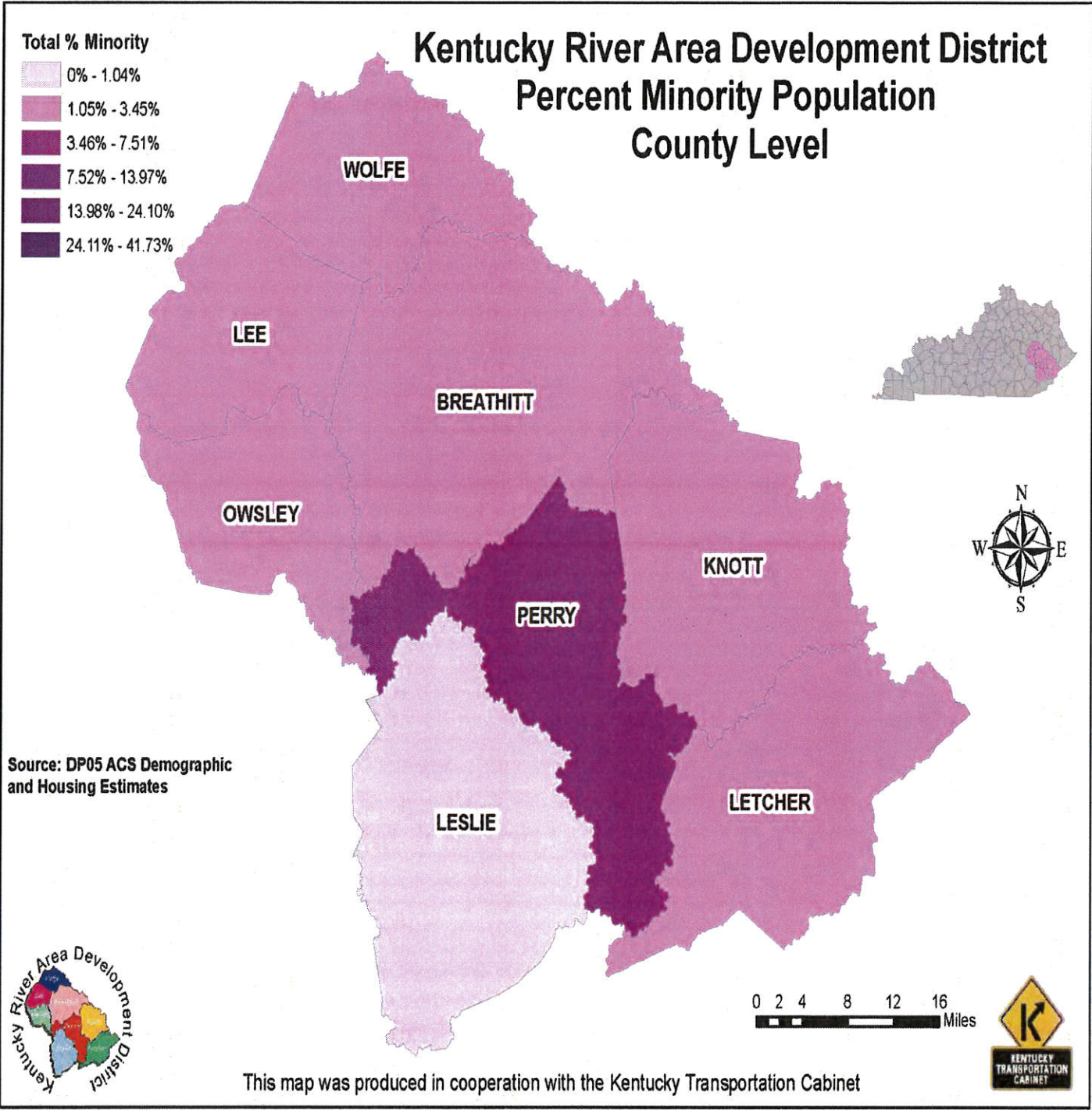


Source: Table DP05
ACS Demographic and Housing Estimates



This map was produced in cooperation with the Kentucky Transportation Cabinet

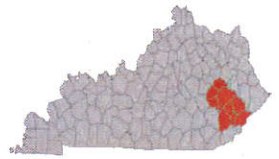
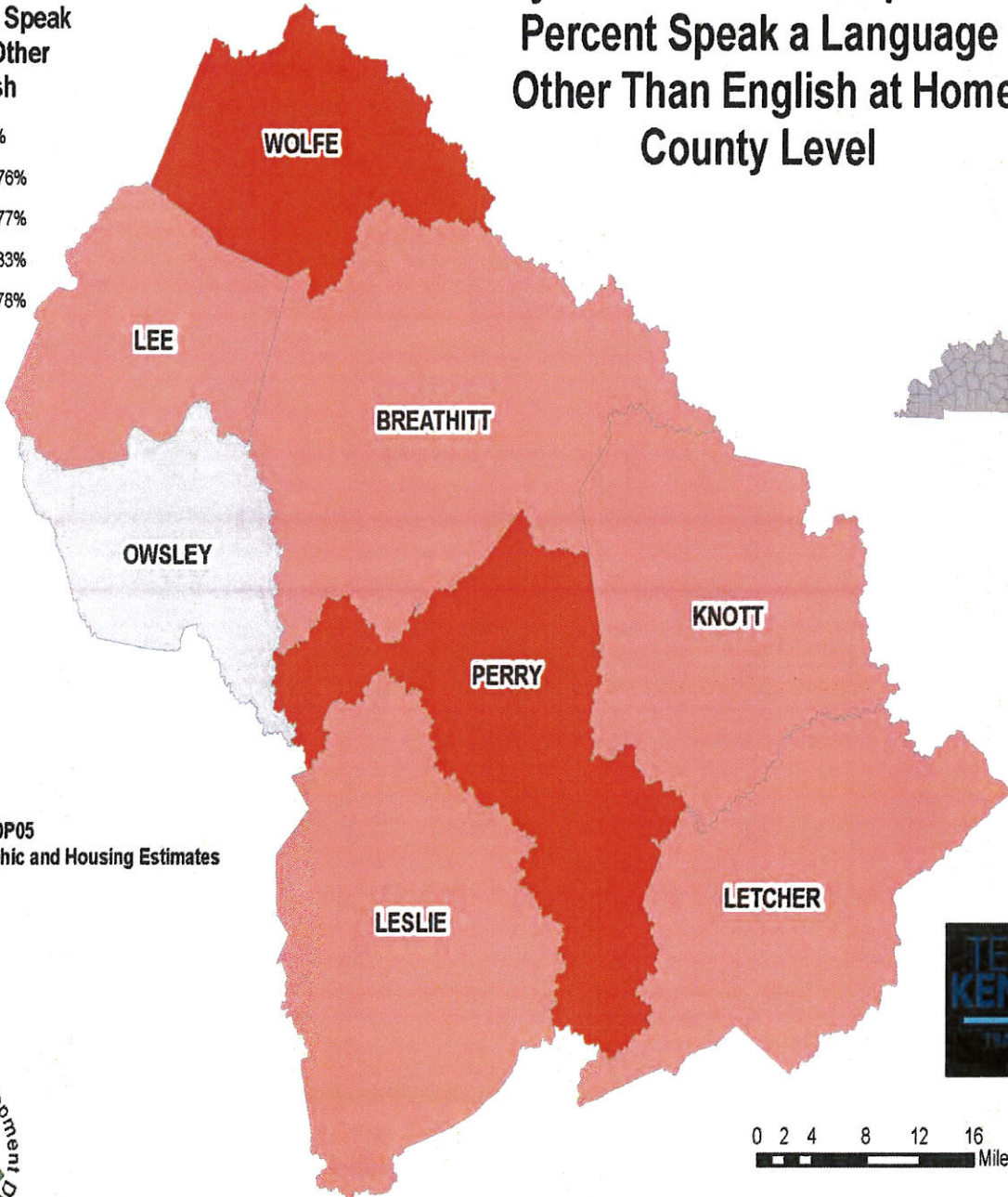
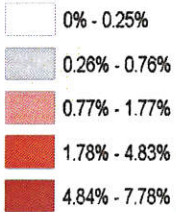




This map was produced in cooperation with the Kentucky Transportation Cabinet

Kentucky River Area Development District Percent Speak a Language Other Than English at Home County Level

Percentage Speak
Language Other
Than English



Source: Table DP05
ACS Demographic and Housing Estimates



This map was produced in cooperation with the Kentucky Transportation Cabinet

APPENDIX G
KRADD Service Area Language Data

KRADD Area Language Spoken at Home 2015

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Total:	12,828	15,084	6,788	10,320	22,289	4,357	26,267	6,805	104,738
Speak only English	12,672	14,873	6,726	10,289	21,896	4,339	25,945	6,791	103,531
Spanish or Spanish Creole:	99	120	48	20	215	12	132	14	660
Speak English "very well"	78	71	20	13	146	12	62	14	416
Speak English less than "very well"	21	49	28	7	69	0	70	0	244
French (incl. Patois, Cajun):	8	6	0	0	17	4	54	0	89
Speak English "very well"	8	6	0	0	17	4	54	0	89
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
French Creole:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Italian:	6	5	0	0	0	0	0	0	11
Speak English "very well"	0	5	0	0	0	0	0	0	5
Speak English less than "very well"	6	0	0	0	0	0	0	0	6
Portuguese or Portuguese Creole:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
German:	14	52	0	3	34	2	3	0	108
Speak English "very well"	14	52	0	3	6	2	3	0	80
Speak English less than "very well"	0	0	0	0	28	0	0	0	28
Yiddish:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other West Germanic languages:	0	19	0	0	0	0	0	0	19
Speak English "very well"	0	10	0	0	0	0	0	0	10
Speak English less than "very well"	0	9	0	0	0	0	0	0	9
Scandinavian languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Greek:	0	0	10	0	0	0	0	0	10
Speak English "very well"	0	0	10	0	0	0	0	0	10
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Russian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Polish:	2	1	0	0	0	0	0	0	3
Speak English "very well"	2	0	0	0	0	0	0	0	2
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Serbo-Croatian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other Slavic languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Armenian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Persian:	0	0	0	0	0	0	0	0	0

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Gujarati:	0	0	0	0	0	0	35	0	35
Speak English "very well"	0	0	0	0	0	0	17	0	17
Speak English less than "very well"	0	0	0	0	0	0	18	0	18
Hindi:	12	0	0	0	15	0	0	0	27
Speak English "very well"	12	0	0	0	15	0	0	0	27
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Urdu:	0	0	0	0	4	0	98	0	102
Speak English "very well"	0	0	0	0	4	0	64	0	68
Speak English less than "very well"	0	0	0	0	0	0	34	0	34
Other Indic languages:	0	0	0	0	5	0	0	0	5
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	5	0	0	0	5
Other Indo-European languages:	0	0	0	5	0	0	0	0	5
Speak English "very well"	0	0	0	5	0	0	0	0	5
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Chinese:	0	0	0	1	43	0	0	0	44
Speak English "very well"	0	0	0	1	0	0	0	0	1
Speak English less than "very well"	0	0	0	0	43	0	0	0	43
Japanese:	4	0	0	0	0	0	0	0	4
Speak English "very well"	4	0	0	0	0	0	0	0	4
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Korean:	0	6	0	0	7	0	0	0	13
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	6	0	0	7	0	0	0	13
Mon-Khmer, Cambodian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hmong:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Thai:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Laotian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Vietnamese:	0	0	4	0	40	0	0	0	44
Speak English "very well"	0	0	0	0	40	0	0	0	40
Speak English less than "very well"	0	0	4	0	0	0	0	0	4
Other Asian languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Tagalog:	6	1	0	2	0	0	0	0	9
Speak English "very well"	6	0	0	2	0	0	0	0	8
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Other Pacific Island languages:	0	0	0	0	13	0	0	0	13

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Speak English "very well"	0	0	0	0	13	0	0	0	13
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Navajo:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other Native North American languages:	5	0	0	0	0	0	0	0	5
Speak English "very well"	5	0	0	0	0	0	0	0	5
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hungarian:	0	1	0	0	0	0	0	0	1
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Arabic:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hebrew:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
African languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other and unspecified languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0

*Source: US Census Bureau, 2015 American Community Survey Estimates
Table B16001 - Language Spoken at Home by Ability to Speak English for Population 5 Years and Over*

*No update as of 12-5-2022

APPENDIX H
Glossary

GLOSSARY/DEFINITIONS

Affirmative Action: a good-faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscriminatory practices.

African American (Black): A person having origins in any of the black racial groups of Africa.

American Indian or Alaska Native: a person having origins in any of the original peoples of North and South America (including Central America) who maintains cultural identification through tribal affiliation or community attachment.

Applicant: an eligible public entity or organization that applies for financial assistance under a program administered on behalf of the State.

Area Development Districts (ADD): focus on developing and sustaining the fundamental building blocks for state, regions, and local communities in today's rapidly changing global marketplace. Including but not limited to traditional emphasis on strategic planning and project funding for clean and safe drinking water systems, health care facilities, affordable housing, small business development and transportation improvements.

Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

Assurance: a written "policy statement" or "contractual agreement" signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiary: any person or group of people (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program (i.e., relocated persons, impacted citizens, communities, etc.).

Complaint: a verbal or written allegation of discrimination that indicates that a federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color or national origin.

Compliance: a satisfactory condition wherein an applicant, recipient, or sub recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

Contract: a mutually binding legal relationship or any modification thereof obligating the seller to furnish supplies or services, including construction, and obligating the buyer to pay for them. Throughout this document, a lease is considered a contract.

Contractor: any person, corporation, partnership, organization, or incorporated association that participates, through a contract or subcontract, in any program or activity covered by this plan including lessees.

Discrimination: involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

Division: one of the administrative subdivisions of an office of the Kentucky Transportation Cabinet. The term district should be considered equivalent to division as an administrative subdivision of an office of the KYTC.

Executive Directors: In accordance with KRS 12.040, the departmental heads of the Kentucky River Area Development District are responsible to the KRADD Board of Directors for the direction of their respective divisions and have authority to appoint Title VI Designee(s) within their divisions.

Federal Assistance:

- Grants and loans of federal funds
- The grant or donation of federal property and interests in property
- The detail of federal personnel
- The sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without
- Consideration or with nominal consideration, or with consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient
- Any federal agreement, arrangement, or other contract that has, as one of its purposes, the provision of assistance

Federal Highway Administration or FHWA: agency within the U.S. Department of Transportation that supports State and local governments in the design, construction and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program).

Grantee: any public or private agency, institution or organization to whom federal financial assistance is intended for any program.

Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.

Interpretation: The process of listening to something in one language and orally interpreting it in another. The mix of LEP services under the Oral Languages Services is as follows:

- Hiring bilingual staff
- Hiring staff interpreters
- Using telephone interpreter lines
- Using community volunteers
- Use of family members, friends, and other customers/passengers as
- interpreters

Kentucky Transportation Cabinet or KYTC: the agency of Kentucky charged by its laws with the responsibility for all modes of transportation.

Limited English Proficiency or LEP: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient.

Metropolitan Planning Organization or MPO: policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all Urbanized Areas (UZA) of populations over 50,000, as determined by the US Census. MPOs are designated by agreement between the Governor and units of general- purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law. When submitting the transportation improvement program (described below), to the State for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

Minority: A person or groups of persons differing from others in some characteristics who may be subjected to differential treatment based on race, color or national origin. Includes African Americans, Hispanics or Latinos, American Indian or Alaska Native, Asians and Native Hawaiian or Another Pacific Islander.

Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Non-compliance: the condition wherein a recipient has failed to meet prescribed requirements and has shown a lack of good-faith effort in implementing all of the Title VI requirements.

Non-minority or non-minority group people: Caucasians

Persons: Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Primary recipient: KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipient's contracts for carrying out a program.

Program: includes any highway, project, or activity that provides services, financial aid or other benefits to individuals, including education or training, work opportunities, health, welfare, rehabilitation, housing or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient (i.e. Planning, Environment, Design, Right-of-Way, Construction, Safety, & Research).

Program area officials: the officials who are responsible for carrying out technical program responsibilities.

Public participation: KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipient's contracts for carrying out a program.

Recipient: Kentucky or any political subdivision or instrumentality thereof or any public or private agency, institution, or organization or other entity; or any individual in Kentucky to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term “recipient” does not include any ultimate beneficiary under any such program. Examples of recipients include MPOs, Council of Governments (COG), towns, cities, counties, school districts or any sub recipient.

Secretary: The chief administrative officer of the Kentucky Transportation Cabinet or KYTC.

Statewide Transportation Improvement Program or STIP: statewide transportation improvement program (STIP) for all areas of the State covering a period of at least four years. The STIP is a staged, multi-year, statewide intermodal program of transportation projects, consistent with the statewide transportation plan and planning processes as well as metropolitan plans, transportation improvement programs (TIP), and planning processes. The STIP must be developed in cooperation with the metropolitan planning organizations (MPO), public transit providers, and any Regional Transportation Planning Organizations (RTPO) in the State and must be compatible with the TIPs for the metropolitan areas in the State.

Statewide Transportation Plan or STP: a long-range transportation plan that provides for the development and implementation of the multimodal transportation system (including transit, high- way, bicycle, pedestrian and accessible transportation) for the State. This plan must identify how the transportation system will meet the State’s economic, transportation, development and sustainability goals for at least a 20-year planning horizon.

Sub-grantee: Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

Title VI Officer, Coordinator or Liaison: refers to the responsible KRADD official in matters relating to Title VI. The Title VI Officer, Coordinator or Liaison reports to and assists the Executive Director of OCRSBD in carrying out the Title VI responsibilities of the Kentucky River ADD.

Title VI Program: the system of requirements developed to implement Title VI of the Civil Rights Act of 1964. When appropriate, the phrase “Title VI Program” also refers to the civil rights provisions of other federal non-discrimination authorities to the extent that they prohibit discrimination on the grounds of race, color, national origin, sex, age and disability, including income level and Limited English Proficiency in programs or activities receiving federal financial assistance.

Translation: Translation is the replacement of a written text from one language into an equivalent written text in another language.

Transportation Improvement Programs or TIP: plan developed by Metropolitan Planning Organization cooperation with the State and public transit providers detailing a list of upcoming transportation projects, covering a period of at least four years. It should include capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects and safety projects included in the State’s Strategic High- way Safety Plan. The TIP should include all regionally significant projects receiving FHWA or FTA funds, or for which FHWA or FTA approval is required.

White: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

APPENDIX I
Title VI Plan Adoption and Approval

Kentucky River Area Development District Title VI Plan Adoption and Approval

This Title VI Plan was approved and adopted by the Kentucky River Area Development District's Board of Directors during a meeting held on December 14, 2023.

Chairman

Executive Director

APPENDIX J
Staff and Board Training
Rosters

Roll Call – Board of Directors

Date: _____

NOTE: MUST HAVE 16 MEMBERS PRESENT FROM 5 COUNTIES FOR QUORUM & MUST BE VERIFIED BEFORE PROCEEDING

Breathitt County

- _____ Judge Jeff Noble
- _____ Mayor Laura Thomas
- _____ Mr. Gary Campbell
- _____ Mr. Drewey Lovins
- _____ Ms. Susan Harley

- _____ No (DR) Chosen
- _____ Ms. Mildred Lee Roberts (DR) Verified

Knott County

- _____ Judge Jeff Dobson
- _____ Mayor Trish Hall
- _____ Mayor Scott Cornett
- _____ Mr. Harold Watley
- _____ Mr. Larry Parke
- _____ Mr. Larry Perkins

- _____ Ms. Melodie Robinson (DR) Verified
- _____ No (DR) Chosen
- _____ Mr. David Hatfield (DR) Verified

Lee County

- _____ Judge Steve Mays
- _____ Mayor Scott Jackson
- _____ Ms. Jessica Butler
- _____ Mr. David Lyons

- _____ Mr. Everett Marshall (DR) Verified
- _____ Ms. Sally Gilbert (DR) Verified

Leslie County

- _____ Judge William Lewis
- _____ Mayor Carol Joseph
- _____ Ms. Eugenia Stewart Napier
- _____ Mr. Hiram Cornett

- _____ Ms. Jennifer Laura Bowling (DR) Verified
- _____ No (DR) Chosen

Letcher County

- _____ Judge Terry Adams
- _____ Mayor Tiffany Craft
- _____ Mayor Todd DePriest
- _____ Mayor Ricky Burke
- _____ Mr. Bennie McCall
- _____ Mr. Fred Hall

- _____ Ms. Sherry Sexton (DR) Verified
- _____ Mr. Chris Caudill (DR) Verified
- _____ Ms. April Moore (DR) Verified
- _____ Mr. Jeff Hawkins (DR) Verified

Page 2
 Roll Call – Board of Directors

Date: _____

Owsley County

_____ Judge Zake Little, Jr.
 _____ Mayor Nelson DeBrowns
 _____ Mr. Rodney Mayan

_____ No (DR) Chosen
 _____ Ms. Tamara Shouse (DR) Verified

Perry County

_____ Judge Scott Alexander
 _____ Mayor Jondie "Happy" Woodfin
 _____ Mayor Robbie Turner
 _____ Mr. Lannie Brewer
 _____ Ms. Gregory Whitson
 _____ Ms. Norwether Wash-Hall
 _____ Mr. Derrick Bowling

_____ Mr. Clayton Shurch (DR) Verified
 _____ Mr. Carlos Campbell (DR) Verified
 _____ No (DR) Chosen

Wolfe County

_____ Judge Reynolds Barks
 _____ Mayor Keith May
 _____ Ms. Pam Nighin
 _____ Mr. Clala Under

_____ Mr. Wade Gibbs (DR) Verified
 _____ Ms. Dera Rice (DR) Verified

Name	Title	Revised 12-8-2023	Attended
Allen, Kim	Office Manager		
Allen, Michelle	Executive Director		
Arnett, Dallas	Custodian/Maintenance		
Baker, Tracy	ADRC & Ship Coordinator		
Brewer, Melissa	Community and Economic Development Specialist		
Campbell, Karlana	Human Resources Manager/Aging & Finance Manager		
Campbell, Shane	IT Specialist		
Collins, Randy	Administrative Assistant		
Coomer, Kim	Associate Director of Finance		
Coots, Emily	Participant Directed Services Advisor		
Cornett, Emily	Participant Directed Services Advisor		
Cornett, Sheila	Long Term Care Ombudsman		
Couch, Tammy	ADRC Assistant		
Dixon, Andrea	Participant Directed Services Support Broker/Lead Case Manager		
Epperson, Jessica	Regional Disaster Coordinator		
Haddix, Tabitha	Economic Development Coordinator		
Hall, Dakota	Participant Directed Services Advisor		
Hicks, Patty	Staff Accountant		
King, Sarah	Community and Economic Development Planner		
Leedy, Jessica	Title V Coordinator		
Lewis, Suzanne	Participant Directed Services Advisor		
Lyman, Samantha	Participant Directed Services Advisor		
Maggard, Deborah	Staff Accountant		
McIntosh, Jennifer	Associate Director of Community & Economic Development		
Melton, Scott	Transportation Planner		
Miller, A. J.	Community and Economic Development Planner		
Mullins, Autumn	Homecare Case Manager		
Napier, Lisa	Infrastructure Coordinator		
Noble, Stacie	Associate Director of Human Services		
Olinger, Jane	Human Services Assistant/SHIP Counselor		
Pollard, Trevor	Community and Economic Development Planner		
Ritchie, Sandy	Administrative Assistant		
Ritchie, Tammy	Participant Directed Services Advisor		
Robbins, Angela	PDS Advisor/Caregiver Coordinator		
Slone, Kaitlin	Assistant Finance Officer		
Slover, Shannon	Participant Directed Services Advisor		
Smith, Loretta	Participant Directed Services Advisor		
Stacy, Donna	Community and Economic Development Planner		
Stepp, Megan	GIS Specialist		
Walker, Desiree	Staff Accountant		
Walls, Shawna	Participant Directed Services Advisor		
Wireman, Jessica	Participant Directed Services Advisor		
Young, Courtney	Community and Economic Development Planner		
Baker, Renee	Senior Center Director		
Begley, Judy	Senior Center Cook		
Bowan, Mary	Homecare Aide		
Bowling, Teresa	Senior Center Director		
Brock, Carmen	Senior Center Cook		
Brooks, Dena	Senior Center Director/Cook		
Caudill, Stephanie	Homecare Aide		
Cornett, Missy	Homecare Aide		
Graham, Andrea	Homecare Aide		
Halcomb, Sheila	Senior Center Cook/Activities		
Hays, Pam	Senior Center Cook		
Howard, Breanna	Food Truck Assistant		
Simpson, Pauline	Homecare Aide		
, routh, Heatner	Senior Center Director		
*Fields, Millard (Part Time)	Maintenance Assistant		
, Moore, Rhonda (Part Time)	support Starr		

APPENDIX K
USDOT Standard Assurances Appendix Clauses

APPENDIX 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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, *(Title of Modal Operating Administration)*, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21. *[Include Modal Operating Administration specific program requirements.]*
3. **Solicitations for Subcontracts, 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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. *[Include Modal Operating Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the *(Title of Modal Operating Administration)* to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the *(Title of Modal Operating Administration)*, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the *(Title of Modal Operating Administration)* may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *(Title of Modal Operating Administration)* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program), and the policies and procedures prescribed by the (Title of Modal Operating Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation 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 (Title of Recipient) all the right, title and interest of the U.S. 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 (Title of Recipient) 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 will be binding on the (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of 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 will on the grounds of race, color, 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 (Title of Recipient) will 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, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (Title of Recipient) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her 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:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Title of Recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Title of Recipient) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by (Title of Recipient) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her 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 (1) no person on the ground of race, color, or national origin, will 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, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will there upon revert to and vest in and become the absolute property of (Title of Recipient) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).