

Title VI Program – 2014 submittal Henderson County, NC



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**I. HENDERSON COUNTY APPLE COUNTRY PUBLIC TRANSIT
NONDISCRIMINATION POLICY**

Title VI of the Civil Rights Act of 1964 states 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 USC Section 200d).

Henderson County transit services, known as “Apple Country Public Transit”, are committed to practicing nondiscrimination. If you believe you have been subjected to discrimination, you may file a complaint with Henderson County transit services or the Federal Transportation Administration.

For more information visit www.applecountrytransit.com, call 828.697.4819, send an email to planning@hendersoncountync.org, or visit the Henderson County Planning Department Transportation Division located at 100 North King Street in downtown Hendersonville, NC.

Política de no-discriminación del Transporte Público de la Henderson County El Título VI – Title VI – de los Derechos Civiles de 1964 establece que ninguna persona en los Estados Unidos de América puede, basado en la raza, color o nacionalidad, ser excluida de participar o serle negados los beneficios, o ser sujeta a discriminación bajo ninguno de los programas o actividades que reciban asistencia financiera del gobierno federal. (42 USC Section 200d).

El Transporte Público de la Henderson County está comprometido a no discriminar. Si usted cree que ha sido discriminado, puede presentar una queja con Transporte División del Departamento del Condado de Henderson Planeamiento con la Administración de Transito Federal (Federal Transit Administration – FTA).

Para mas información visítenos en la pagina web www.applecountrytransit.com, o llame al teléfono (828) 697-4819, o envíe un correo electrónico a planning@hendersoncountyn.org o visite nuestra oficina en el Departamento del Planeamiento en 100 North King Street, Hendersonville, NC.

II. GENERAL REQUIREMENTS AND GUIDELINES

1. Title VI Certification and Assurances

City of Asheville submitted the Title VI certification and assurance in TEAM for Henderson County (see City of Asheville's Certification).

2. Title VI Complaint Procedures and Record Keeping of Investigations Complaints, and Lawsuits.

This section outlines the Title VI complaint procedures related to Federally funded programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 states 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.

Any person who believes that he or she individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin as noted below may file a written complaint with Henderson County Planning Department Transportation Division, 100 North King Street, Hendersonville, NC 28792 or by emailing planning@hendersoncountync.org. Title VI Complaint Form can be obtained in person or at applecountrytransit.com. Complainants have the right to complain directly to the appropriate federal agency. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI manager, Transportation Planner, may be utilized for resolutions.

Procedure: The complaint must meet the following requirements:

- Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Transportation Planner will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.
- Include the date of the alleged act of discrimination or the date when the Complainant(s) became aware of the alleged act of discrimination. Also include the date on which the conduct was discontinued or the latest instance of the discriminatory conduct.
- Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
- Federal and state law require complaints be filed within 180 calendar days of the alleged incident.
- Upon receipt of the complaint, the Transportation Planner will determine its jurisdiction, acceptability, and need for additional information, and will investigate the merit of the complaint.

The Complainant will be provided with a written acknowledgement that the Henderson County Planning Department Transportation Division has either accepted or rejected the complaint.

A complaint must meet the following criteria for acceptance:

- The Complaint must be filed within 180 days of the alleged occurrence.
- The allegation must pertain to a protected class: race, color or national origin.
- The allegation must involve a Henderson County service of a Federal aid recipient, sub-recipient or contractor.

A complaint may be dismissed for the following reasons:

- The Complainant requests the withdrawal of the complaint.
- The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The Complainant cannot be located after reasonable attempts.

Once the Henderson County Planning Department Transportation Division has decided to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database that identifies: Complainant's name, basis, alleged harm.

In cases where the Henderson County Planning Department, Transportation Division assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Transportation Planning Manager will prepare an investigative report for review by the Planning Director. The report shall include a narrative description of the incident, identification of persons interviewed, and findings and recommendations for disposition.

The investigative report and its findings will be reviewed by the Senior Planner and in some cases the investigative report and findings will be reviewed by the Henderson County Legal Department. The report will be modified as needed.

The Senior Planner and Henderson County Legal Department will make a determination on the disposition of the complaint. Dispositions will be stated as follows:

- In the event that Henderson County Planning Department Transportation Division is in noncompliance with Title VI regulations remedial actions will be listed.

Notice of Senior Planner's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notices of appeals are as follows:

- Henderson County Planning Department Transportation Division will reconsider this determination, if new facts, come to light.
- If Complainant is dissatisfied with the determination and/or resolution set forth by Henderson County, the same complaint may be submitted to the FTA, for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights Region IV, 230 Peachtree, NW, Suite 800, Atlanta, GA 30303, telephone 404.865.5600.

A copy of the complaint and Henderson County's investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the complaint.

A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

The Transportation Planner will ensure that all records relating to Henderson County's Title VI Complaint Process are maintained with department records. Records will be available for compliance review audits.

3. Language Access

Language Implementation Plan: Henderson County will assess the number of persons speaking English "less than well" and "not at all" with the release of data provided by the 2008-2012 American Community Survey as can be found in Attachment IV. The LEP populations per tract per language for Henderson County have been assessed for areas of concentration. In addition Henderson County will consult state and local data sources to better assess the LEP population. Henderson County will also identify and communicate with community organizations that serve LEP populations

Henderson County will begin to keep a list of services with which LEP persons contact our agency. Based on information provided by community organizations Henderson County will better understand which transit services are used most frequently by the LEP population.

Henderson County will work with community organizations to hold face-to-face interactions with LEP persons in order to better assess our agencies critical services used by the LEP population.

Henderson County will use this information to determine the demand for language assistance. This demand, along with Henderson County financial and personnel resources, will determine what further efforts will be undertaken by Henderson County.

Based on the assessment of 2008-2012 American Community Survey, Henderson County's most significant low English proficient language group is Spanish (Attachment IV).

Since Henderson County is above the Safe Harbor LEP threshold, Henderson County will provide language assistance at this time. Announcements regarding public meetings, service changes, and fare changes are published in a local Spanish language news paper. WCCA, the contractor of the transit system, will offer Spanish language options. WCCA, the contract operator of the transit system has employees who speak Spanish and are available to respond to written communications and other critical language issues. Henderson County's Title VI Non-Discrimination Policy (Section I) and Complaint Form (Attachment II) are also available in Spanish. Other translation resources can be made available upon request.

4. Notify Beneficiaries of Protection Under Title VI

Henderson County works to notify beneficiaries of protection under Title VI by posting on line, in administrative offices and on transit vehicles: 1) our Title VI obligations; 2) policy of nondiscrimination, 3) where to get more information and 4) procedure for complaints.

5. Title VI Program Update Every Three Years

In order to ensure compliance with 49 CFR Section 21.9(b), Henderson County will submit a Title VI Program to FTA's regional civil rights officer once every three years as laid out in FTA C 4702.1A.

No public outreach and involvement activities have been undertaken since the last submission of the Title VI Program due to the limited size of the system and the lack of changes to our service provision. No service or fare changes occurred that required notices in the paper during this time.

The Language Implementation Plan is listed above in Section 3. Language Access.

Henderson County procedures for tracking and investigating Title VI complaints are listed above in Section 2. Title VI Complaint Procedures and Record Keeping of Investigations Complaints, and Lawsuits.

Henderson County has not received any Title VI complaints since the time of the last submission.

A copy of the Henderson County's notice to the public regarding Title VI obligations is found in Attachment V.

A copy of Henderson County policy and procedures for complaints is found in Section 2. Title VI Complaint Procedures and Record Keeping of Investigations Complaints, and Lawsuits.

6. Conducting an Environmental Justice Analysis of Construction Projects.

Henderson County will integrate an environmental justice analysis when National Environmental Policy Act (NEPA) documentation is required for construction projects. Since Henderson County last Title VI program submittal no construction projects have been undertaken. Categorical exclusion (CE) documentation will be prepared, completed and submitted as needed. Henderson County, when preparing an environmental assessment (EA) or environmental impact statement (EIS), will include the following components:

- A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population.
- A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income population.
- A discussion of all positive effects that would affect the identified minority and low-income population, such as an improvement in transit service, mobility, or accessibility.
- A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects.
- A discussion of the remaining effects, if any, and why further mitigation is not proposed.
- For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non low-income areas. When Henderson County determines there is no basis for such a comparison, we will describe why this is so.

7. Promoting Inclusive Public Participation

In order to integrate the viewpoints of minority, low-income, and LEP populations into community outreach activities, Henderson County seeks out these groups when conducting public outreach and involvement activities. Henderson County shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. This is accomplished by conducting meetings in an open and welcoming manner. Meetings are held in transit accessible locations during transit operations hours, with notices circulated in paper of general circulation. Meetings are also published in minority papers, and notices are made available on the transit vehicles. Coordination will also be undertaken with institutions and organizations that serve or represent

low income and minority individuals in order to better reach out to members in the affected minority and low income communities.

8. Minority Representation on Planning and Advisory Bodies

Henderson County does not have a transit-related advisory council or committee, therefore a table is not provided. The elected Henderson County Board of Commissioners take required action with regard to Henderson County Apple Country Public Transit.

9. Determination of Site or Location of Facilities

Henderson County will comply with the following when determining site or location of facilities (including, but not limited to, storage facilities, maintenance facilities, operations center, etc.):

- Engage in outreach to persons potentially impacted by the siting of facilities.
- Complete a Title VI equity analysis:
 - 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
 - That compares the equity impacts of various siting alternatives
 - That occurs before the selection of the preferred site
- Determine, where appropriate, if any cumulative adverse impacts might result from siting facilities near other facilities with similar impacts in the area to (analysis done at the Census tract level) to ensure that proper perspective is given to localized impacts.

Should Henderson County determine the location of the project will result in a disparate impact on the basis of race, color, or national origin, the project may only occur in that location: (1) if there is a substantial legitimate justification for locating the project there, and (2) where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. Henderson County shall show how both tests are met; understanding that in order to make this showing, Henderson County must 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.

III. SERVICE STANDARDS FOR FIXED ROUTE TRANSIT**1. Vehicle Load Standards**

The average of all loads during the peak operating period should not exceed the vehicles' achievable capacities, which are 24 passengers for a low-floor 29' bus and 19 passengers on a 29' bus.

Vehicle Type	Seated Passengers	Standing Passengers	Total Passengers	Maximum Load Factor
29' Low Floor Bus	17	7	24	1.4
29' Bus	19	0	19	1

2. Vehicle Headway Standards

Services operates every 1 hour from early morning to late evening on weekdays. On weekdays 1 hour service shall begin no later than 6:30 a.m. and continue until 6:30 p.m. Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, and density of transit-dependent population and activities.

Headways and Periods of Operation				
Weekday	Peak	Base	Evening	Night
All Routes	1 hour	1 hour	1 hour	--

3. On-Time Performance Standards

A vehicle is considered on time if it departs a scheduled timepoint no more than 5 minutes early and no more than 5 minutes late. On time performance objective is 90% or greater. On-time performance is monitored and included in the monthly performance reports.

4. Service Availability Standards

The goal is to have 75% of all residences in the service area within ¼ mile of a transit stop. To date 76.73% of transit service area residences are within ¼ mile of a transit stop (5,134 of 6,691 residences). To date 96% of transit service area residences are within ½ mile of a transit stop (6,454 of 6,691 residences).

5. Vehicle Assignment Policy

Five CNG 29 foot low floor buses were purchased in 2014. Two (2) 29 foot buses were replaced in 2007. These two (2) buses are expected to be replaced in the next three (30) years. All vehicles are rotated through various routes in order to keep mileage on each bus similar. This is done to distribute the new vehicles through all routes equitably.

6. Transit Amenities Policy

Installation of transit amenities along bus routes are based on the number of customer boarding at stops along the routes.

IV. LIMITED ENGLISH PROFICIENCY PLAN

The Limited English Proficiency Plan (LEP Plan) has been prepared to address Henderson County responsibilities as a recipient of federal financial assistance as it relates to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin. Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. Executive Order 13166 directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Henderson County departments receiving federal grant funds.

1. Summary

Henderson County has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, Henderson County used the four-factor LEP analysis which considers the following factors: (1) the number or proportion of LEP persons in the service area who may be served by Apple Country Public Transit; (2) the frequency with which LEP persons come into contact with Apple Country Public Transit services; (3) the nature and importance of services provided by Apple Country Public Transit to the LEP population; (4) the interpretation services available to Apple Country Public Transit customers and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

2. Meaningful Access: Four-Factor Analysis

- The number or proportion of LEP persons in the service area who may be served or are likely to require Apple Country Public Transit services.

Henderson County reviewed the 2008-2012 American Community Survey and determined that a total of 6.24% of the population (6,285 of the 100,703 persons) have limited English proficiency. Within the transit service area, 7.62% of the population (1,205 of the 15,811 persons) have limited English proficiency and identify as speaking English less than "very well". Within the Henderson County Apple Country Public Transit service area, of those persons with limited English proficiency:

96.81% speak Spanish,
1.56% speak German,
0.58% speak Russian,

0.55% speak Thai,
 0.50% speak Chinese,
 0.33% speak French Creole,
 0.22% speak Mon-Khmer, Cambodian,
 0.18% speak Polish,
 0.14% speak Arabic, and
 0.12% speak Vietnamese.

- The frequency with which LEP persons come in contact with Apple Country Public Transit services.

Henderson County reviewed the frequency with which the Henderson County Board of Commissioners, Henderson County staff and Apple Country Public Transit operators have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, Henderson County has had no requests for interpreters and no requests for translated program documents. The Henderson County Board of Commissioners and the Apple Country Public Transit office staff have had very little contact with LEP persons. The operators have occasional daily contact with a maximum of 3-5 persons with limited English proficiency.

- The nature and importance of services provided by the Apple Country Public Transit staff to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the service area for Apple Country Public Transit. The overwhelming majority of the population speaks only English. As a result, there are few social, service, professional and leadership organizations within the Apple Country Public Transit service area that focus on outreach to LEP persons. The Apple Country Public Transit staff are most likely to encounter LEP persons through transit trips, office visits, phone conversations, and attendance at Henderson County Board of Commissioner meetings.

- The resources available to Apple Country Public Transit, and overall costs to provide LEP assistance.

Henderson County reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and contacted local citizens that would be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation if needed would be provided through a telephone interpreter line for which the County would pay a fee.

3. Language Assistance & Measures

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Apple Country Public Transit services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

The Apple Country Public Transit staff may identify an LEP person who needs language assistance by:

- Posting notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- Providing Apple Country Public Transit staff with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
- Informally surveying Apple Country Public Transit staff periodically on their experience concerning any contacts with LEP persons during the previous year.
- When Henderson County Planning Department, Transportation Division or Apple Country Public Transit hold a public meeting, an advanced notice should be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals). Additionally, staff may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge attendee ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Although there is a very low percentage in the Apple Country Public Transit staff of LEP individuals, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

- Apple Country Public Transit staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
- The following resources will be available to accommodate LEP persons:
 - Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.
 - Language interpretation will be accessed for all other languages through a telephone interpretation service.

4. Staff Training

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the “I Speak” cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for Apple Country Public Transit will be required to follow the Title VI/LEP guidelines.

5. Translation of Documents

Henderson County weighed the cost and benefits of translating its documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have all documents translated. Henderson County does provide all Apple Country Public Transit brochures in English and Spanish.

Due to the very small local LEP population, Henderson County does not have a formal outreach procedure in place, as of 2011. Translation resources have been identified and are limited in this region. If the need arises for LEP outreach, Apple Country Public Transit will consider the following options: when Henderson County and Apple Country Public Transit staff prepares a document or schedules a meeting for which the target audience is expected to include LEP

persons, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

6. Monitoring

Henderson County will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when the Title VI Plan is reviewed and updated, or when it is clear that higher concentrations of LEP individuals are present in Henderson County service area.

Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Whether the need for translation services has changed.
- Whether local language assistance programs have been effective and sufficient to meet the need.
- Whether Henderson County's financial resources are sufficient to fund language assistance resources needed.
- Whether Henderson County fully complies with the goals of the LEP Plan.
- Whether complaints have been received concerning the agency's failure to meet the needs of LEP persons.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

7. Dissemination of the LEP Plan

Apple Country Public Transit will post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services. Apple Country Public Transit will state on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request.

FTA FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2014 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of the Applicant: Henderson County, North Carolina

Name and Relationship of the Authorized Representative: Autumn Radcliff, Senior Planner

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2014, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Project for which it seeks now, or may later seek FTA funding during Federal Fiscal Year 2014.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 3/19/14
Name Autumn Radcliff, Senior Planner
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Henderson County, North Carolina

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature  Date: 3/19/14
Name Sarah G. Zambon, Deputy County Attorney
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.



Title VI Complaint Form Henderson County Planning Department, Transportation Division - Apple Country Transit Services

Do you think you have been mistreated by Henderson County Planning Department, Transportation Division - Apple Country Transit because of race, color or national origin?

Henderson County Planning Department, Transportation Division and Apple Country Transit is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by US law (Title VI of the Civil Rights Act of 1964, as amended).

Complaints under the Title VI law must be filed within 180 days from the date of the alleged discrimination. Please complete the information below to file your complaint. If you need help completing this form, call the Henderson County Planning Department, Transportation Division at (828) 697-4819 or email planning@hendersoncountync.org.

Your Name: _____ Street Address _____

City, State & Zip Code: _____

Phone number: _____ Other Phone: _____

Who was discriminated against? (Please circle) You? Someone Else?

If someone else, their:

Name(s): _____ Street Address _____

City State & Zip Code: _____

Was the discrimination based on? (Circle one)

- Race
- Color
- National Origin (Limited English Proficiency)

Date of Incident: _____

Please describe the alleged discrimination incident. If possible, provide the names and titles of all Henderson County Planning Department, Transportation Division and Apple Country Transit employees involved. Explained what happened and who you believe was responsible. Please use the back of this form if additional space is required.

Have you filed a complaint with any other federal, state or local agencies? (Circle one)

Yes / No

If so, list agency or agencies and contact information below:

Agency:	Contact Name:
Street Address, City, State & Zip Code:	Phone:
Agency:	Contact Name:
Street Address, City, State & Zip Code:	Phone:

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainants Signature: _____ Date: _____

Please return the completed and signed form to: Henderson County Planning Department, Transportation Division, 100 North King Street, Hendersonville, NC 28792.

Henderson County Use Only:
Print or Type Name of Complainant:
Date Received:
Received By:



Title VI Complaint Form Henderson
County Planning Department,
Transportation Division – Apple
Country Transit Services

Titulo VI – Title VI – Planilla de Quejas Transporte
División del Departamento del Planeamiento Condado de
Henderson – Apple Country Transit Services

Usted piensa que ha sido maltratado por el personal de Transporte División del Departamento del Planeamiento Condado de Henderson – Apple Country Transit debido a su raza, color o nacionalidad?

La Transporte División del Departamento del Planeamiento Condado de Henderson y Apple Country Transit esta comprometida a asegurar que ninguna persona sea excluida de participar o le sean negados los beneficios de sus servicios basado en su raza, color o nacionalidad, como ha sido establecido por la ley de los Estados Unidos de America (Titulo VI - Title VI - de los Derechos Civiles de 1964, corregida).

Quejas relativas al Titulo VI deben ser introducidas en los 180 dias siguientes a la fecha en que sucedio el incidente. Por favor complete la informacion que sigue para presentar la queja. Si necesita ayuda para completar esta forma, llame Transporte División del Departamento del Planeamiento Condado de Henderson al (828) 697-4819 o al correo electronico planning@hendersoncountync.org.

Nombre: _____ Direccion _____

Ciudad, Estado,Codigo Postal: _____

Numero de telefono: _____ Alternativo: _____

Quien fue la persona discriminada? (Encierre en un circulo) Usted? Alguien mas?

Si fue alguien mas, por favor provea:

Nombre(s): _____ Direccion _____

Ciudad, Estado, Codigo Postal: _____

Cual fue la causa de la discriminacion? (Seleccione una)

- Raza
- Color
- Nacionalidad

Fecha: _____

Por favor describa el incidente. Si es posible, provea los nombres y posicion de los empleados de transporte publico de Transporte División del Departamento del Planeamiento Condado de Henderson y Apple Country Transit implicados. Explique que paso y quien usted cree fue responsable. Por favor use el reverso de esta forma si necesita espacio adicional.

Descripcion del incidente:

Ha usted presentado otra queja con otra agencia federal, estatal, o local? (Encierre en un circulo)

Si / No

De ser asi por favor liste la agencia o agencias y provea la informacion de contacto:

Agencia:	Nombre del contacto:
Direccion, Ciudad, Estado, Codigo Postal:	Telefono:
Agencia:	Nombre del contacto:
Direccion, Ciudad, Estado, Codigo Postal:	Telefono:

Afirmo que he leído la informacion provista y que es verdadera en la medida de mi conocimiento, informacion y creencia.

Firma: _____

Fecha: _____

Por favor retorne la forma completa y firmada a la siguiente direccion: Henderson County Planning Department, Transportation Division, 100 North King Street, Hendersonville, NC 28792.

Henderson County Use Only:
Print or Type Name of Complainant:
Date Received:
Received By:



**NOTICE OF PUBLIC HEARING
FARE INCREASE FOR APPLE COUNTRY TRANSIT
June 6, 2011 at 5:30 PM**

A PUBLIC HEARING WILL BE HELD ON A PROPOSED TRANSIT FARE INCREASE DURING THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS ON **MONDAY, JUNE 6, 2011 WHICH BEGINS AT 5:30 PM.** THE MEETING WILL BE HELD ON THE 2ND FLOOR OF THE HISTORIC COURTHOUSE AT NUMBER ONE COURTHOUSE SQUARE IN DOWNTOWN HENDERSONVILLE. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THIS HEARING AND TO PROVIDE WRITTEN AND/OR ORAL COMMENTS AND TO ASK QUESTIONS CONCERNING THE FARE INCREASE.

WRITTEN COMMENTS WILL ALSO BE ACCEPTED UNTIL THE TIME OF THE MEETING. COMMENTS MAY BE MAILED OR DELIVERED TO THE ADDRESS BELOW

**attn. Mr. Matthew Cable, Transportation Planner
Henderson County Planning Department
100 North King Street
Hendersonville, NC 28792**

OR VIA E-MAIL TO
mcable@hendersoncountync.org

Apple Country Existing and Proposed Fare Schedule		
FARE	Existing Fare Schedule for FY 2011 (Last Changed April 2006)	Proposed Fare Schedule effective July 1, 2011
Cash Fare	75 cents	\$1.25
Half Fare for Seniors and Medicare Card Carriers	30 cents	60 cents
Children under 5	Free	Free
Paratransit service (no more than twice Fixed Route Fare)	\$1.25	\$2.50
One Trip Pass Book (20 tickets)	\$10	\$20
Monthly Pass	\$15	\$30



**EL AVISO DEL AUMENTO del PRECIO
del DEPARTAMENTO del PLANEAMIENTO del CONDADO de HENDERSON
de la AUDIENCIA PÚBLICA PARA APPLE COUNTRY TRANSIT**

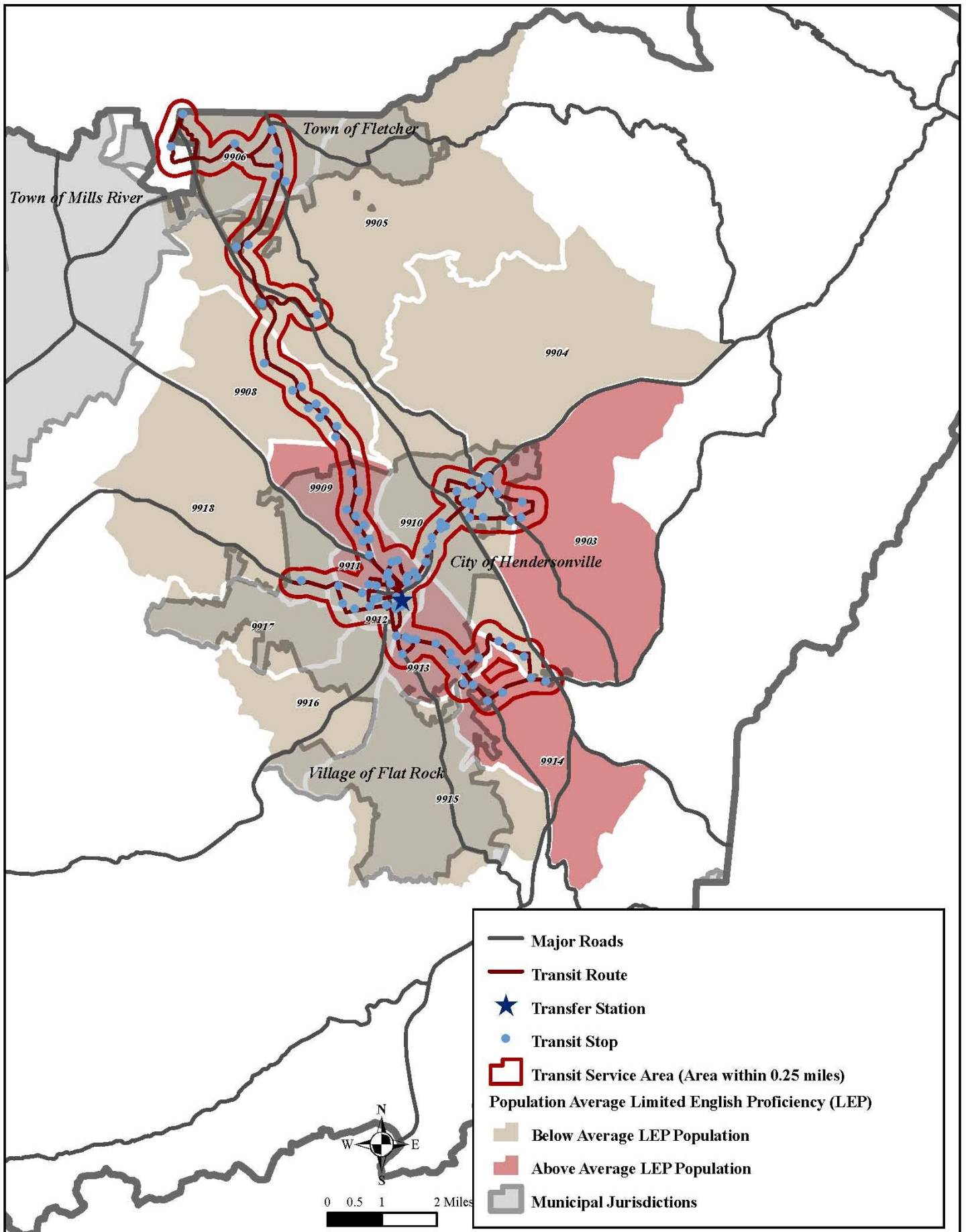
UNA AUDIENCIA PÚBLICA SERÁ SOSTENIDO EN UN AUMENTO PROPUESTO del PRECIO del TRÁNSITO DURANTE LA REUNIÓN REGULAR DEL TABLERO DE COMISIONES LUNES EL 6 DE JUNIO, 2011 QUE COMIENZA EN EL PISO de 5:30 P.M. 2do, 1 CUADRADO HISTÓRICO del PALACIO DE JUSTICIA, QUE ESTÁ SITUADO EN HENDERSONVILLE CÉNTRICO. SE INVITA A TODAS LAS PERSONAS INTERESADAS A ASISTIR ESTA AUDIENCIA Y PROPORCIONEN COMENTARIOS ESCRITOS Y/O ORALES Y HAGAN PREGUNTAS REFERENTES AL AUMENTO DEL PRECIO.

LOS COMENTARIOS ESCRITOS TAMBIÉN SERÁN ACEPTADOS HASTA EL TIEMPO DE LA REUNIÓN. Los COMENTARIOS SE PUEDEN ENVIAR O ENTREGAR A LA DIRECCIÓN DEBAJO

attn. Mr. Matthew Cable, Transportation Planner
Henderson County Planning Department
100 North King Street
Hendersonville, NC 28792

O VÍA E-MAIL AL PRECIO
mcable@hendersoncountync.org

Horario de pasaje existente y propuesto de Apple Country		
PASAJE	Horario de pasaje existente del año fiscal 2011 (Cambiado mas reciente en abril de 2006)	Horario del pasaje efectivo el 1 de 2011
Pasaje de dinero contante	\$0.75	\$1.25
Pasaje medio para gente de mayor edad y los con tarjeta de Medicare	\$0.30	\$0.60
Niños menos de 5	Gratis	Gratis
Servicio de paratransit (no más de doble el pasaje de la ruta fijo)	\$1.25	\$2.50
Un libro de pases del viaje	\$10	\$20
Pases para un mes	\$15	\$30



Transit Service Area (TSA) Population by English Proficiency, Languages Spoken, and LEP

Census Tract*	Population in TSA	Speak English Only	Speak Another Language & English "very well"	LEP Persons Speaking											Percent LEP Population
				Spanish	French Creole	German	Russian	Polish	Chinese	Korean	Mon-Khmer, Cambodian	Thai	Vietnamese	Arabic	
9303	621	521	38	54	4	0	0	2	0	0	0	0	0	2	9.82%
9304.02	9	7	1	1	0	0	0	0	0	0	0	0	0	0	11.11%
9305.01	673	603	7	58	0	0	0	0	0	0	0	3	0	1	9.21%
9306	2,728	2,631	56	33	0	0	0	0	2	0	0	0	6	0	1.50%
9308	1,280	1,224	26	21	0	8	0	0	1	0	0	0	0	0	2.34%
9309	1,403	1,178	66	159	0	0	0	0	0	0	0	0	0	0	11.33%
9310	1,529	1,332	50	141	0	0	5	0	2	0	0	0	0	0	9.68%
9311	1,691	1,447	73	172	0	0	0	0	0	0	0	0	0	0	10.17%
9312	1,807	1,728	32	46	0	0	0	0	0	0	0	0	0	0	2.55%
9313	1,386	1,097	107	171	0	11	0	0	0	0	0	0	0	0	13.13%
9314	1,675	1,178	211	287	0	0	0	0	0	0	0	0	0	0	17.13%
9315	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0%
9316	101	90	5	6	0	0	0	0	0	0	0	0	0	0	5.94%
9317	203	193	8	0	0	0	0	1	0	0	0	1	0	0	0.98%
9318.02	703	671	26	4	0	0	2	0	0	0	0	0	0	0	1.00%
Total	15,811	13,901	705	1,154	4	19	7	2	6	0	3	7	1	2	7.62%
Percent	100.00%	87.92%	4.46%	7.30%	0.02%	0.12%	0.04%	0.01%	0.04%	0.00%	0.02%	0.04%	0.01%	0.01%	7.62%

*Census Tracts 9302 and 9305.02, while included in the transit service area, contain no residences within the transit service area.

Title VI Non Discrimination Policy

Henderson County Planning Department,
Transportation Division /
Apple Country Public Transit

Title VI of the Civil Rights Act of 1964 states 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 USC Section 200d).

Henderson County Planning Department, Transportation Division / Apple Country Transit services are committed to practicing non-discrimination. If you believe you have been subjected to discrimination, you may file a complaint with the Henderson County Planning Department, Transportation Division or the Federal Transportation Administration.

Titulo VI / Politica De no Discriminacion

Del Transporte División del Departamento del Condado de Henderson Planeamiento/
Apple Country Public Transit

El Titulo VI – Title VI – de los Derechos Civiles de 1964 establece que ninguna persona en los Estados Unidos de America pued, basado en la raza, color o nacionalidad, ser excluida de participar o serle negados los beneficios, o ser sujeta a discriminacion bajo ninguno de los programas o actividades que reciban asistencia financiera del gobierno federal. (42 USC Section 200d).

Del Transporte División del Departamento del Condado de Henderson Planeamiento/ Apple Country Transit esta comprometido a practicar la no discriminacion. Si usted cree que ha sido discriminado, puede presentar una queja con la Transporte División del Departamento del Condado de Henderson Planeamiento con la Administracion de Transito Federal (Federal Transit Administration – FTA).



For more information:

- Website www.applecountrytransit.com
Telephone 828.697.4819
- Email planning@hendersoncountync.org
- Visit the Henderson County Planning Department at 100 North King Street, Hendersonville

Para mas informacion:

- Visitenos en la pagina web www.applecountrytransit.com
- O llame a telefono 828.697.4819
- O envíe un correo electronico a planning@hendersoncountync.org
- O visite nuestra oficina en del Departamento del Condado de Henderson Planeamiento en 100 North King Street, Hendersonville, NC



Henderson County Apple Country Public Transit Public Participation Plan

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I. Purpose:

The purpose of this Public Participation Plan (PPP) is to establish procedures that allow for, encourage, and monitor participation of all citizens in Henderson County's Apple Country Public Transit System service area, including but not limited to minority individuals and individuals with limited English proficiency. The intent of this effort is to take reasonable actions throughout the planning process to provide opportunities for historically under-served populations to participate in accordance with Circular FTA C 4702.1A Chapter IV.

This document will lay out procedures to provide opportunities for all area citizens to participate in the development of the Apple Country Public Transit services.

II. General Public Outreach and Involvement Activities

Apple Country Public Transit (ACPT) is a service managed by the Planning Department of Henderson County in North Carolina. The Henderson County Planning Department is responsible for planning transit services and contracts with Western Carolina Community Action, Inc. (WCCA), a third party contractor, to operate the system. Public outreach efforts are the responsibility of the Planning Department's Transportation Planning staff in coordination with the Henderson County Public Information Officer. The public outreach activities provide the public the ability to be involved in decisions concerning Apple Country Public Transit services.

County Government

The Henderson County Board of Commissioners is responsible for adopting, by ordinance, Henderson County's budget, major changes in transit service, and fare changes. Henderson County is governed by a five elected Commissioners and County Manager. The Commissioners are elected at large.

Public Involvement

The Henderson County Board of Commissioners

The Henderson County Board of Commissioners function as a governing board to the Planning Department Transportation Planning staff on matters affecting the all transportation related issues. Citizen input and advice into transit services are facilitated through the Board of Commissioners.

Community Transportation Advisory Board (CTAB)

Henderson County's current paratransit contractor is WCCA. The WCCA Transportation Advisory Board (TAB) serves as an advisory board to Henderson County Planning Department Transportation Planning staff and is actively involved in the planning and operation of the system. WCCA TAB voting member include representatives from human service agencies, disability advocacy and senior advocacy organizations, and individual riders. Paratransit issues are address by WCCA TAB and the Board of Commissioners.

III. Outreach Techniques

Outreach to the General Public

In addition to the Board of Commissioners and WCCA TAB, Henderson County conducts broad outreach to the general riding and non-riding public on specific proposals. Henderson County is responsible for developing proposals for transit service (new services or changes to existing services) and transit fares. Major service changes involving soliciting input from a wide range of stakeholders such as the following:

- Riders of affected routes
- Residents of areas around affected routes
- Community and neighborhood organizations

-
- Staff and elected officials from local jurisdictions
 - Major institutions and organizations
 - Employers/Businesses
 - Partner transit agencies

Henderson County Transportation Planning staff gather information and input provided by stakeholders to develop service proposals that respond to the expressed needs. Service proposals may include alternatives to coverage, frequency and span.

Henderson County Transportation Planning staff may solicit input from the public through: surveys, press releases, advertisements, meetings with the general public, and meetings with stakeholders. Surveys may be distributed to riders at the transfer station, on transit vehicles, through stakeholder contacts, or online.

Henderson County Transportation Planning staff send press releases to major daily and community newspapers. Notices of all proposed Henderson County Apple Country Public Transit service and fare-changes Public Hearings are published two weeks prior in the Hendersonville Tribune and La Voz Independiente (local Spanish language paper).

Henderson County Transportation Planning staff use the input provided by the public (this includes LEP, low-income, disability and minorities individuals/advocacy groups) and WCCA TAB to develop final recommended service proposals. Staff bring these recommendations to the Board of Commissioners for consideration. With support from the Board of Commissioners, staff may further modify the proposal before implementing operational changes. Board of Commissioner action is needed for service proposals having a budgetary impact and for fare changes. In this case staff will bring the proposal to the Board of Commissioners, which may further modify the proposal based on public input, prior to acting on it and taking a final vote for either approval or denial by the full Boar.

Outreach to the LEP population

Henderson County's Apple Country Public transit public involvement process includes outreach to members of the public whose primary languages are not English. Henderson County Planning Department Transportation staff completed a four-factor analysis, based on data and community organization outreach, to ensure the agency is conducting outreach efforts around programs, activities or services important to the LEP population. The Language Assistance Implementation Plan (Title VI Program – 2014 submittal Attachment IV) details Henderson County's Apple Country Public Transit outreach to the LEP population.

Outreach to People with Disabilities

Henderson County's Apple Country Public Transit provides discounted fares to individuals with disabilities that use the fixed route. For those unable to use the fixed route the city offers paratransit service. No disparities in levels or quality of service between regular transit service and paratransit service were identified during the past three years.

Henderson County Apple Country Public Transit contracts paratransit services to serve people for whom regular fixed-route service may not provide adequate mobility.

Henderson County Apple Country Public Transit contracts with WCCA complies with eligibility criteria and minimum service requirements contained in 49 CFR Part 37, Subpart F, as amended. To be eligible, a trip must originate within $\frac{3}{4}$ of a mile of an Apple Country Public Transit route, and the individual must have a disability that prevents him or her from using accessible, fixed-route bus service some or all of the time. As of June 2013, there are 95 individuals registered for the paratransit program.

Henderson County Apple Country Public Transit requires that service contractors not discriminate nor tolerate harassment on the basis or the presence of any sensory, mental, or physical disability in the employment or application for employment or in the administration or delivery of services or any other benefits.

The primary form of outreach for this service is via WCCA transit operations dispatch services. The individual has to be eligible according to processes established by Henderson County Apple Country Public Transit, which involves individual contact with all applicants.

Henderson County Transportation Planning staff and WCCA staff conduct outreach activities to provide ADA paratransit program information to community groups. Outreach with Disability advocacy organizations is conducted through participation in TAB meetings, hosting transit informational events with disability groups, networking with disability community groups, providing vision or hearing assistance services for events or for one-on-one needs, providing assistance for document access, and training operations staff on disability needs and customer service.

WCCA transit operations staff track customer comments, complaints and customer service areas. Henderson County Transportation Planning staff review the database frequently to proactively identify emerging issues and any need for additional training, as well as to evaluate individual complaints.

Outreach to People with Low Incomes

Henderson County's Apple Country Public Transit seeks to serve low-income within the service area. Henderson County's Apple Country Public Transit conducts outreach and public involvement programs to support this objective. Henderson County Transportation Planning staff will work to provide affordable services. This will primarily be conducted through:

1. Title VI analysis of agency services and proposed changes,
2. Outreach and networking with low-income advocacy organizations,
3. Hosting transit informational events and
4. Customer service training of transit operations staff.

Outreach to the Minority Community

Henderson County's Apple Country Public Transit service is committed to practicing non-discrimination as specified in our Non-Discrimination Policy and in accordance with Title VI of the Civil Rights Act of 1964 (42 USC Section 200d). The outreach to minority persons within the transit service area will primarily be conducted through:

1. Title VI analysis of agency services and proposed changes,
2. Outreach and networking with minority advocacy organizations,
3. Hosting transit informational events and
4. Customer service training for transit operations staff.

Monitoring of Outreach Activities and Staff Training

Operations supervisors will seek out additional training tools (i.e. webinars, community organization trainings, etc) to meet the needs of and improved customer service for disabled, low-income, and minority individuals.

Operations supervisors will discuss annual efforts for disabled, low-income, and minority individuals, according to the following:

- If assistance measures are effective in meeting the needs of disabled, low-income, and minority individuals.
- Review frequency of encounters with disabled, low-income, and minority individuals and the nature of the encounters.
- Review any complaints specifically associated with disability, low-income, or minority persons needs.
- Review and discuss disability, low-income, and minority related trainings that occurred.
- Make incremental improvements to outreach efforts, access to information and/or staff training related to disabled, low-income, and minority persons needs
- Discuss budgetary implications of any proposed disability, low-income, and minority related improvements.
- Work with riders and community groups) to determine whether disability, low-income, and minority measures and staff training programs are effective and appropriate. If feasible (cost and competency) community groups may be able to providing trainings.
- Develop other monitoring techniques as needed. Such as: the “secret shopper” technique, where monitors pose as riders and observe how agency staff responds to their requests. This may be conducted on the phone, at the transfer center and/or on random transit routes. This type of monitoring may also provide insight into how the agency can improve the effectiveness of its services.

IV. Outreach Effort 2011-present

General

Henderson County Transportation Planning staff reviews and complaints associated to the needs of disabled, low-income, and minority individuals. Staff continues to seek further training to assist Henderson County’s Apple Country Public Transit in meeting the needs of the disability, low-income, and minority population.

V. Conclusion

Henderson County’s Apple Country Public Transit is cognizant of Title VI of the Civil Rights Act of 1964. Section 601 states:

“No persons 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 subjected to discrimination under any program or activity receiving federal financial assistance.”¹

Henderson County’s Apple Country Public Transit’s responsibility is to guarantee that all transit services, and access to its facilities, are equitably distributed and provided without regard to race, color, or national origin. The public participation plan ensures equal opportunities to all individuals to participate in all city transit planning and decision making processes.

¹United States Department of Justice. (1964). Title VI of the Civil Rights Act of 1964. Retrieved December 5, 2008, from the United States Department of Justice: Civil Rights Division Web Site: <http://www.usdoj.gov/crt/cor/coord/vimannual.php>

Exhibit I

Date	Type of Event/Notice	Title of Event	List of Activities to Advertise Event
05.18.11	WCCA TAB Meeting	TAB Meeting	WCCA Website
08.25.11	WCCA TAB Meeting	TAB Meeting	WCCA Website
11.16.11	WCCA TAB Meeting	Route Changes Informational Item	WCCA Website
11.16.11	Board of Commissioners Meeting	Route Changes Informational Item	Henderson County website,
11.30.11	Public Input Session	Route Changes	Notice on Buses (11.12.11) Notice on Apple Country Public Transit Website (11.12.11)
02.09.12	WCCA TAB Meeting	TAB Meeting	WCCA Website
04.20.12	Stop Modifications May 21, 2012	Route 3 Stop Modifications	Notice on Buses and Bus Stop Signs (04.20.12)
05.09.12	WCCA TAB Meeting	TAB Meeting	WCCA Website
08.09.12	WCCA TAB Meeting	TAB Meeting	WCCA Website
11.08.12	WCCA TAB Meeting	TAB Meeting	WCCA Website
02.21.13	WCCA TAB Meeting	TAB Meeting	WCCA Website
05.16.13	WCCA TAB Meeting	TAB Meeting	WCCA Website
06.26.13	Stop Modifications August 5, 2013	Routes 1, 2, and 3 Stop Modifications	Notice on Buses and Bus Stop Signs (06.26.13)
08.15.13	WCCA TAB Meeting	TAB Meeting	WCCA Website
11.21.13	WCCA TAB Meeting	TAB Meeting	WCCA Website
02.20.14	WCCA TAB Meeting	TAB Meeting	WCCA Website
05.15.14	WCCA TAB Meeting	TAB Meeting	WCCA Website