



Bis-Man Transit Board Meeting

June 24, 2021, 11:30AM

<https://us02web.zoom.us/j/keaGX2jbH6>

Call in: +1 312 626 6799; Meeting ID: 864 4748 0750

Welcome & Introductions

Approval of Agenda

Consent Agenda

1. Previous Month's Minutes
 - a. Attachment A – May Regular Meeting
 - b. Attachment B – June Finance Committee Meeting
 - c. Attachment C – June CTIC Meeting
 - d. Attachment D – May Executive Meeting
2. Financial Report
 - a. Attachment E
3. Ride Stats
 - a. Attachment F
4. Benefit Recommendation
 - a. Attachment G

Public Comment

Standing Committee Update

Unfinished Business

1. Otto Bremer Foundation Bus Purchase Approval/Budget Amendment
 - a. Attachment H

New Business

1. Xenia Stock Discussion
 - a. Attachment I
2. Civil Rights Policies
 - a. Attachment J – Title VI Plan/Complaint Process
 - b. Attachment K – Reasonable Modification Plan/Complaint Process
 - c. Attachment L – ADA Complaint Process



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3. Safety Protocol Revisions

a. Attachment M

4. 2022-2025 DBE Goals

a. Attachment N

5. Role of the Board

a. Attachment O

Executive Director Report

1. Triennial Dates

2. NDDOT Facility/Vehicle Review

Operations Report

Other Business

Adjourn



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A

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Bis-Man Transit Regular Board Meeting Minutes

May 27, 2021, 11:30 A.M.

Via Zoom

Attending:	President/Shaina Laber	Sec. /Tres. DeNae Kautzmann
	Vice President/Lynn Wolf	Glenn Lauinger
	Karel Sovak	Helen Baumgartner
	Commissioner Rohr	Commissioner Guy

Not Attending:	Lacey Long	Royce Schultze
	Steve Heydt	

Staff:	Deidre Hughes	Taylor Kitzan
	Mike Mundahl	Craig Thomas
	Danae Thiery	Tom Reisenauer

Guests	Susan Dingle	Rachel Drewlow
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Meeting was called to order at 11:30 A.M.

Approval of Agenda: Shauna suggested making an amendment to remove attachment C as there was no meeting held. Karel moved to approve the Agenda as amended. Lynn seconded. Motion carried unanimously.

Consent Agenda: DeNae moved to approve the consent agenda. Karel seconded. Motion carried unanimously.

Public Comment: N/A

Standing Committee Update: N/A

Unfinished Business:

1. Otto Bremer Grant Acceptance: Deidre asked the Board for a motion to approve the Otto Bremer grant for \$ 81,600 for the purchase of a new paratransit vehicle with no local match. Deidre will make sure to get approvals from the correct channels before being awarded the grant. Deidre asked Glenn if he had any other financial questions about the grant. Glenn asked how the vehicle should be titled and if Deidre was in contact with the City of Bismarck. Deidre has been in contact with Rachel Drewlow from the MPO and the vehicle will be titled appropriately. Karel moved to approve the Otto Bremer Grant. Glenn seconded. Motion carried unanimously.

New Business:

1. Service Truck Approval Purchase: Deidre requested from the Board to approve a 2022 F350 one-ton service truck at an 80/20 split and the attachment listed equipment that will be needed. Tom from Operations answered the question posed as to whether the truck will be able to hold the equipment that will be needed. Tom responded that the F350 truck will be able hold the necessary equipment. Another question posed was whether to sell the interim service truck or keep it. Tom asked the Board to consider keeping the interim service truck and buying a snow plow attachment for the new service truck. DeNae asked if the snow plow could go on the interim service truck. Tom answered that the new service truck is a one ton and will be able to handle the snow plow equipment better. Deidre added that Nelson Auto came in lower with equipment accessories than Advanced Fleet which brings down the local match. DeNae moved to purchase the service truck with accessories. Karel seconded. Motion carried unanimously.



2. 2020 Audit Acceptance: Deidre explained to the Board that our 2020 Annual Audit had no findings and our 2019 findings have been resolved. Glenn spoke on the specifics of 2020 Annual Audit. Glenn thanked the City of Bismarck and staff for this success. Glenn moved to accept the 2020 Annual Audit. Lynn seconded the motion. Motion carried unanimously.

Executive Director Report:

1. Otto Bremer Grant: This ties back to Strategic Plan to find more funding.

2. Community Outreach Update: May 15th was the Touch a Truck event. Stickers and Temporary Tattoos were given to about 400 kids. Mike has created a series of CAT social media posts highlighting parks in the community. In June, staff will take the CAT out to start instructional videos.

3. 5310 Compliance Review Update: May 10th was the 5310 Compliance Review with NDDOT. This review was successful with no findings. Deidre will be working more on the Title VI complaint process.

4. Operational Successes: Deidre highlighted the successes of our operations teams including decrease in complaints and reduction in insurance premium costs from 2019 to 2021.

5. Title VI Training: Deidre was able to take a 15-hour Title VI Training last week.

6. Central Hub Update: Deidre contacted Ben Ereth from the City of Bismarck to see if a Central Hub can be placed in the old Public Health building. A Genfare Stand-alone ticketing counter is a \$150,000 purchase. Deidre will continue working on this project and will give updates as they arise. Lynn asked if there was a paratransit bus on-site at the Touch-a-Truck Event. Deidre answered that there was only a CAT bus as we try to have paratransit riders ride the CAT bus, if able, and try to market the CAT bus more at events.

Operations Report: Danae explained that the operations team has been working with Gifford and Transloc to fix geofences and timing points for the fixed routes. Danae also explained that management is pushing employees to be involved in "Partners Beyond the Bus" which is a community outreach program created to raise awareness of operation's volunteer efforts across the National Express organization and strengthen their customer's partnerships.

Other Business: Deidre informed the Board that the Bismarck Airport CAT Bus Wrap was being installed and that the administration team will make a trip on the bus to the airport itself for a press release and unveiling at 4:00 P.M. this afternoon.

Meeting adjourned at 12:00 P.M.





B

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Bis-Man Transit Finance Committee Meeting Minutes

June 15, 2021, 3:00 P.M.

Via Zoom

Attending:

Shauna Laber

Glenn Lauinger

Chair DeNae Kautzmann

Staff:

Deidre Hughes

Taylor Kitzan



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Meeting was called to order at 3:00 P.M.

Three items on the agenda: Health Premiums, Otto Bremer grant, and Xenia stock.

Employee health premiums slightly increased for the next plan year but are still under budget. Vision and dental premiums are not impacted as we are on a two-year cycle. Deidre checked other similar plans with Medica and Simplicity and they were either higher in cost or provided poorer coverage. This increase affects out of pocket costs for Mike; however, he will be able to flex it through the Section 125 plan. Glenn indicated that it can be addressed later at evaluation time as well. The committee concluded that this item can be placed on the consent agenda as approval to continue current health plan since increased cost is below budget.

Last month, the Board accepted the Otto Bremer grant with no local match. However, the estimated cost of the paratransit bus purchase has increased 5% due to manufacturer increases. The increase amounts to \$4,135.23 above what we received in the grant. Glenn pointed out that using local match for the 5% is much better than 15% or 20% if this was a federal grant. This 5% was not budgeted in vehicle purchases. Deidre indicated that we are approximately \$34,000 to the good in the paratransit cost line item. This is due to ridership still being down due to the pandemic. The committee recommends approving expenditure of local match and to amend the budget by reducing the paratransit line item by \$5,000 and transferring it to the vehicle purchase line item.

Deidre contacted our rep, Mike Daffinrud, at Starion Bank to inquire about our options regarding our Xenia stock. Mike indicated the interest rates on savings are low but the stock market can be volatile. At the current stock price of \$20.50 per share we have approximately \$53,000 invested. This is up from \$38,000 at the end of 2020. There are no tax consequences in selling the stock but there may be commission fees. Deidre indicated we can sell online at Xenia website but didn't know if there were fees. We also don't know if Mike is a licensed securities broker and can sell the stock for us and if so what the commission cost would be. We also do not know if the company will begin to pay dividends again. Deidre will follow up to get these questions answered. The question is do we hold or sell? The stock continues to rise as more





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people are traveling again and the hotel industry is picking up. If we sell what do we do with money? Reinvest in a dividend stock paying 5% or put in a money market which pays less. The committee recommends that no decision be made now but to have a general discussion with the Board to gather their input on what to do.

Meeting adjourned at 3:30 P.M.



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Community Transportation Input Committee Meeting Minutes

June 16, 2021, 2:00PM
Via Zoom Conference Call
3750 E Rosser Avenue, Bismarck

Attending:	Chair/Helen Baumgartner	Glenn Lauinger
	Lynn Wolf	Jeannie Pedersen
	Randee Sailer	Susan Dingle
Staff:	Deidre Hughes	Mike Mundahl

Meeting called to order at 2:02 P.M.

Agenda: Deidre presented proposed changes to the COVID-19 Safety Protocols. Deidre explained the mask mandate is an executive order that would remain in effect until September 13, 2021. Discussion was had about the proposed changes. Jeannie made a motion to recommend the proposed changes to the Board. Lynn seconded the motion. The motion carried unanimously.

Additional Items: Discussion was had about setting a dedicated time for CTIC meetings the week prior to the monthly Board meetings. Deidre said she would work on sending out a poll to CTIC members to find a set time to schedule future CTIC meetings.

Glenn inquired about the status of on-time performance issues on the fixed route. Deidre said she and National Express have been continuing to work with TransLoc.

Glenn inquired about how some of the new technology is working for riders. Discussion was had about the existing technology, and additional features coming in the future.

Jeannie made a motion to adjourn. Lynn seconded the motion.

Meeting adjourned at 2:27 P.M.



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D

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Bis-Man Transit Executive Committee Meeting Minutes

May 10, 2021, 11:00 A.M.

Via Zoom

Attending:

President/Shaina Laber

Vice President/Lynn Wolf

Glenn Lauinger

Karel Sovak

Steve Heydt

Lacey Long

Commissioner Guy

Not Attending:

Sec. /Tres. DeNae Kautzmann

Helen Baumgartner

Royce Schultze

Staff:

Deidre Hughes

Taylor Kitzan



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Meeting was called to order at 11:02 A.M.

Board Self Evaluation Discussion:

Question #3 – “The Board guides staff on how to implement the Board’s strategies and goals effectively based on your organization policies.” Commissioner Guy suggested that keeping the Strategic Plan in mind while guiding meetings would help to keep goals on the forefront of everyone’s minds. For example, when Deidre is giving her Advertising Update during the monthly Regular Board Meeting, tie back how Transit is doing meeting the advertising goal from the Strategic Plan.

Question #8 – “The Board has a clear distinction between the role of the Board and the Executive Director.” Lynn explained that it’s important to pay attention to an organization, but not to be involved in daily operations. Shauna asked Lynn for specifics on if he thought the Board was too involved in daily operations. Lynn responded that he thinks the Board is doing well by relaying operation items at monthly Regular Board Meetings. Steve commented that it is the Board’s duty to seek to understand the Executive Director rather than tell the Executive Director what to do. Glenn also commented that it’s the Board’s responsibility to provide oversight to make sure items are being completed. Deidre discussed that it’s important for herself and staff to have a clear direction of how the Board as a whole wants operations and day-to-day tasks to be handled. When there are conflicting ideas or opinions, it is challenging for the Executive Director and staff to respond accordingly.

Question #13 – “The process for evaluating the Executive Director needs improvement.” Steve explained that previously there was never an evaluation for the Executive Director position and once one was in place it was an evolution of trying to perfect it. Steve suggested to continue that evolution and come up with a review that’s more consistent. Karel summarized the answers given for this question and suggested that the Board needs to be more involved in the Executive Director evaluation process.

Question #19 – “Rate how familiar you are with the organization’s bylaws and governing policies.” Karel commented that the Board should be familiar with the bylaws, but some are more familiar than others. Steve suggested that at each Board Meeting go over one by-law that impacts an agenda item. Shauna and Karel agreed with this suggestion. Deidre commented that every time that a policy is updated that she will send an electronic copy to the Board so they are able to keep their binders up-to-date.

Question #20 – “You frequently encourage other Board members to express their opinions and build on the ideas of fellow Board directors.”; Question #21 – “Other Board Members encourage





you to express your opinions and ideas”; & Question #27 – “I frequently share information about relevant issues with your fellow Board members.”

Karel asked the Board where to improve upon this and that he is comfortable expressing his opinion. There was discussion that everyone expresses their opinions differently and that is to be respected. The Board came to an agreement that this survey should be reviewed annually before sending out to make sure that the questions are relevant and if members have any more input.

Meeting adjourned at 12:00 P.M.



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May 2021

MONTHLY REPORT

	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD
RIDERSHIP						
FIXED ROUTE	4,559	21,630	2,159	23,088	111.16%	-6.31%
PARATRANSIT	6,834	33,414	3,733	30,074	83.07%	11.11%
Total	11,393	55,044	5,892	53,162	93.36%	3.54%
FR AVG. DAILY BOARDINGS	182.36					
DR AVG. DAILY BOARDINGS	220.45					
			Pass./Hour	Pass./Hour	Pass./Hour	
REVENUE HOURS						
	Month	YTD	Month	YTD	PY YTD	PY YTD
FIXED ROUTE	1,770.00	8,984.50	2.58	2.41	3.89	5,938.3
PARATRANSIT	2,216.58	11,220.16	3.08	2.98	2.46	12,221.6
Total	3,986.58	20,204.66	2.86	2.72	2.9	18,159.9
			Pass./Mile	Pass./Mile		
REVENUE MILES						
	Month	YTD	Month	YTD	PY YTD	
FIXED ROUTE	28,310	145,797	0.16	0.15	99,737	
PARATRANSIT	30,595.50	154,146.66	0.22	0.22	156,285	
Total	58,905.00	299,943.96	0.38	0.37	256,022	
ON TIME PERFORMANCE						
	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD
FIXED ROUTE			84.77%	83.62%		
PARATRANSIT	94.00%	94.00%	99.00%	99.00%	-5.05%	-5.05%
RIDERSHIP PER ROUTE						
ROUTE	Month	YTD	PY Month			% INC/DEC OVR PYM
BLACK	1022	4633		399		156.1%
BLUE	748	3331		399		87.5%
GREEN	622	3352		223		178.9%
RED	482	2131		462		4.3%
ORANGE	557	2387				
PURPLE	1128	5119		378		198.4%
U-Mary	55	417		1		5400.0%
ACCIDENTS						
	Month	Month at Fault	YTD	YTD at Fault		
FIXED ROUTE	1	1	3	3		
PARATRANSIT	0	0	4	3		
SERVICE VEHICLE	0	0	0	0		
COMPLAINTS						
	Month	YTD				
FIXED ROUTE	3	13				
PARATRANSIT	2	15				
Office Staff	0	0				
COMPLIMENTS						
	Month	YTD				
FIXED ROUTE	0	0				
PARATRANSIT	0	2				
Office Staff	1	1				



June 24, 2021

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Employee Insurance Recommendation

BACKGROUND: Bis-Man Transit currently offers health insurance to all employees paid by the company up to \$1000 per month per employee. Employer sponsored dental and vision coverage is also offered for all employees at this time.

DISCUSSION: All policies renew September 1, 2021. In an effort to ensure the appropriate policies are renewed, staff reviews annually. When quoted the dental and vision plans in 2020, we received two years of pricing with no increase.

FINANCIAL IMPACT: The proposed plans are all within the approved 2021 annual budget.

Insurance Policy	Actual	Budgeted
Avesis Vision	\$ 418.44	\$ 422.62
Companion Life Dental	\$ 2,044.68	\$ 2,065.13
BCBS Gold 70/\$1800	\$ 26,222.52	\$ 26,500.00

Plan Code	BlueCare Gold
Plan Category	70 - 1800
Member	EE+ Family
Monthly	\$ 2,269.70
Annually	\$ 27,236.40
Employee paid annually	\$ 1,013.88
COMPANY TOTAL	\$ 26,222.52

RECOMENDATION: Staff recommends approval to remain with Avesis, Companion Life, and Blue Cross and Blue Shield on the existing policies.





H

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June 24, 2021

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Otto Bremer Foundation Cutaway Bus Purchase

RECOMMENDATION: Staff is recommending approval of the purchase of one cutaway paratransit bus.

BACKGROUND: Bis-Man Transit received a grant totaling \$81,6000 from the Otto Bremer Foundation to purchase an additional cutaway paratransit bus.

DISCUSSION: The purchase would be an additional vehicle for the fleet and would not replace an existing bus. This bus would not be equipped to run fixed route service.

FINANCIAL IMPACT: The purchase price of the bus is \$85,735.23 from Harlow's, off the State Bid. Purchasing off the state bid cuts down on the procurement time. If approved, \$4,135.23 would come from local match to cover the cost of seat belt extenders, spare keys, security camera equipment, and a surcharge attributed to an increase in factory production costs.

As this is a cost that was not anticipated when creating the 2021 Annual Budget, staff is requesting \$5,000 from the Paratransit Operating Expense budget expense be transferred to the New Vehicle budget expense. Currently, the operating expense is \$96,653.72 underbudget for the year. The finance committee agrees with this recommendation.



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From: [Mike Daffinrud](#)
To: [Deidre Hughes](#)
Subject: RE: Investment question
Date: Monday, June 14, 2021 10:08:01 AM
Attachments: [image002.png](#)
[image003.png](#)
[Morningstar SCHD.pdf](#)
[Morningstar VYM.pdf](#)

Deidre,

If you are looking to invest for safety and liquidity, you might invest the funds in a short-term CD. Interest rates are near 0%, but you would have preservation of capital. If you are looking to invest for dividend and total return potential, but diversify from individual company risk and continue to be subject to market risk, you might consider Exchange Traded Funds (ETF's). I have attached Morningstar Reports on a couple of ETF's to consider. Thanks!

Mike Daffinrud, CRPC
Wealth Advisor
Chartered Retirement Planning Counselor
Starion Investment Services

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From: Deidre Hughes <dhughes@bismantransit.com>

Sent: Monday, June 14, 2021 8:04 AM

Schwab US Dividend Equity ETF™ (USD)

Morningstar Analyst Rating™
Silver
04-20-2020

Overall Morningstar Rating™
★★★★★
1,132 US Fund Large Value

Standard Index
S&P 500 TR USD

Category Index
Russell 1000 Value
TR USD

Morningstar Cat
US Fund Large Value

Performance 02-28-2021

Quarterly Returns	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total %
2019	12.04	2.38	4.07	6.63	27.28
2020	-21.55	16.10	7.92	17.11	15.11
2021	—	—	—	—	5.03
Trailing Returns	1 Yr	3 Yr	5 Yr	10 Yr	Incept
Std Mkt 12-31-20	15.08	—	14.25	—	14.15
Std NAV 12-31-20	15.11	—	14.25	—	14.20
Mkt Total Ret	35.81	13.79	15.75	—	14.49
NAV Total Ret	35.92	13.79	15.72	—	14.54
+/- Std Index	4.63	-0.34	-1.10	—	—
+/- Cat Index	13.70	5.57	3.71	—	—
% Rank Cat	5	2	3	—	—
No. in Cat	1,200	1,132	1,007	—	—

	Subsidized	Unsubsidized
30-day SEC Yield 2021-02-28	3.44	3.44

Performance Disclosure

The Overall Morningstar Rating is based on risk-adjusted returns, derived from a weighted average of the three-, five-, and 10-year (if applicable) Morningstar metrics.

The performance data quoted represents past performance and does not guarantee future results. The investment return and principal value of an investment will fluctuate; thus an investor's shares, when sold or redeemed, may be worth more or less than their original cost.

Current performance may be lower or higher than return data quoted herein. For performance data current to the most recent month-end, please call 877-824-5615 or visit www.csimfunds.com.

Fees and Expenses

Fund Expenses	
Management Fees %	0.06
Expense Ratio %	0.06
12b1 Expense %	NA

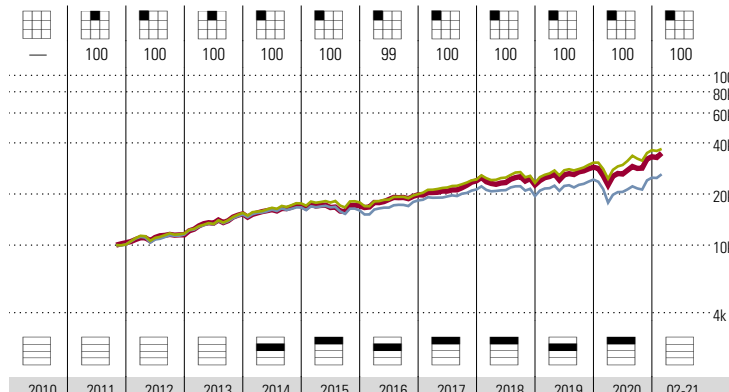
Risk and Return Profile

	3 Yr	5 Yr	10 Yr
	1132 funds	1007 funds	720 funds
Morningstar Rating™	5★	5★	—
Morningstar Risk	-Avg	-Avg	—
Morningstar Return	High	High	—
	3 Yr	5 Yr	10 Yr
Standard Deviation NAV	18.49	15.19	—
Standard Deviation MKT	18.45	15.18	—
Mean NAV	13.79	15.72	—
Mean MKT	13.79	15.75	—
Sharpe Ratio	0.71	0.96	—

MPT Statistics	Standard Index	Best Fit Index
NAV	—	Russell 1000 Value TR USD
Alpha	0.10	5.49
Beta	0.97	0.92
R-Squared	93.56	95.88
12-Month Yield	—	3.01%
Potential Cap Gains Exp	—	—
Leveraged	No	—
Leverage Type	—	—
Leverage %	—	100.00
Primary Prospectus Benchmark	DJ US Dividend 100 TR USD	—

Operations

Family:	Schwab ETFs
Manager:	Multiple
Tenure:	9.4 Years
Total Assets:	\$20,574.9 mil
Shares Outstanding:	284.25 mil
Type:	ETF



Investment Style

Equity
Stocks %

Growth of \$10,000

—	Schwab US Dividend Equity ETF™	34,804
—	Category Average	26,138
—	Standard Index	36,851

Performance Quartile (within category)

History

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	02-21	
—	—	—	11.39	32.89	11.69	-0.31	16.44	20.83	-5.56	27.28	15.08	5.10	Mkt Total Ret %
—	—	—	11.40	32.90	11.66	-0.21	16.25	20.88	-5.46	27.28	15.11	5.03	NAV Total Ret %
—	—	—	-4.61	0.51	-2.03	-1.60	4.29	-0.95	-1.08	-4.21	-3.29	3.31	+/- Standard Index
—	—	—	-6.11	0.38	-1.79	3.62	-1.09	7.22	2.81	0.74	12.31	-0.04	+/- Category Index
—	—	—	—	32	10	30	9	19	29	3	—	—	% Rank Cat
—	—	—	—	1290	1378	1268	1260	1244	1209	1200	1221	—	No. of Funds in Cat
—	0.04	0.05	0.00	0.02	0.02	0.00	0.03	0.00	0.00	-0.03	—	—	Avg Prem/Discount %

Portfolio Analysis 03-12-2021

Asset Allocation % 02-19-2021	Net %	Long %	Short %
Cash	0.10	0.10	0.00
US Stocks	98.87	98.87	0.00
Non-US Stocks	1.03	1.03	0.00
Bonds	0.00	0.00	0.00
Other/Not Clsfd	0.00	0.00	0.00
Total	100.00	100.00	0.00

Equity Style

Value	Blend	Growth			Avg	Index	Cap
			Large	P/E Ratio TTM	20.5	0.73	0.96
				P/C Ratio TTM	11.9	0.73	0.98
			Mid	P/B Ratio TTM	2.8	0.71	6.94
			Small	Geo Avg Mkt Cap \$mil	49838	0.29	0.45

Fixed-Income Style

Ltd	Mod	Ext
High	Mid	Low
Avg Eff Maturity	—	—
Avg Eff Duration	—	—
Avg Wtd Coupon	—	—
Avg Wtd Price	—	—

Credit Quality Breakdown —

	Bond %
AAA	—
AA	—
A	—
BBB	—
BB	—
B	—
Below B	—
NR	—

Regional Exposure

	Stocks %	Rel Std Index
Americas	99.0	1.00
Greater Europe	1.0	1.22
Greater Asia	0.0	0.00

Top Holdings 03-05-2021

Share Chg since 03-2021	Share Amount	Holdings : 97 Total Stocks, 0 Total Fixed-Income, 43% Turnover Ratio	Net Assets %
+	17 mil	Exxon Mobil Corp	5.27
+	17 mil	Altria Group Inc	3.88
+	4 mil	Texas Instruments Inc	3.82
+	4 mil	3M Co	3.81
+	4 mil	United Parcel Service Inc Class B	3.59
+	6 mil	International Business Machines Co	3.58
+	14 mil	Coca-Cola Co	3.52
+	13 mil	U.S. Bancorp	3.39
+	940,090	BlackRock Inc	3.38
+	5 mil	PepsiCo Inc	3.38
+	12 mil	Verizon Communications Inc	3.37
+	5 mil	Qualcomm Inc	3.08
+	4 mil	Eaton Corp PLC	3.07
+	17 mil	Pfizer Inc	3.04
+	7 mil	Emerson Electric Co	3.04

Sector Weightings

	Stocks %	Rel Std Index
Cyclical	37.2	1.19
Basic Materials	1.9	0.81
Consumer Cyclical	8.3	0.68
Financial Services	27.0	1.89
Real Estate	0.0	0.00
Sensitive	45.2	0.97
Communication Services	7.1	0.64
Energy	8.3	2.92
Industrials	19.4	2.20
Technology	10.5	0.44
Defensive	17.6	0.80
Consumer Defensive	14.6	2.28
Healthcare	3.0	0.23
Utilities	0.0	0.00

Standardized and Tax Adjusted Returns Disclosure Statement

The performance data quoted represents past performance and does not guarantee future results. The investment return and principal value of an investment will fluctuate; thus an investor's shares, when redeemed, may be worth more or less than their original cost. Current performance may be lower or higher than return data quoted herein. For performance data current to the most recent month-end please visit <http://advisor.morningstar.com/familyinfo.asp>.

Standardized Returns assume reinvestment of dividends and capital gains. They depict performance without adjusting for the effects of taxation, but are adjusted to reflect sales charges and ongoing fund expenses.

If adjusted for taxation, the performance quoted would be significantly reduced. For variable annuities, additional expenses will be taken into account, including M&E risk charges, fund-level expenses such as management fees and operating fees, contract-level administration fees, and charges such as surrender, contract, and sales charges. The maximum redemption fee is the maximum amount a fund may charge if redeemed in a specific time period after the fund's purchase.

After-tax returns are calculated using the highest individual federal marginal income tax rates, and do not reflect the impact of state and local taxes. Actual after-tax returns depend on the investor's tax situation and may differ from those shown. The after-tax returns shown are not relevant to investors who hold their fund shares through tax-deferred arrangements such as 401(k) plans or an IRA. After-tax returns exclude the effects of either the alternative minimum tax or phase-out of certain tax credits. Any taxes due are as of the time the distributions are made, and the taxable amount and tax character of each distribution are as specified by the fund on the dividend declaration date. Due to foreign tax credits or realized capital losses, after-tax returns may be greater than before-tax returns. After-tax returns for exchange-traded funds are based on net asset value.

Money Market Fund Disclosures

If money market fund(s) are included in the Standardized Returns table below, each money market fund's name will be followed by a superscripted letter that links it to the applicable disclosure below:

Institutional Money Market Funds (designated by an "S"):

You could lose money by investing in the fund. Because the share price of the fund will fluctuate, when you sell your shares they may be worth more or less than what you originally paid for them. The fund may impose a fee upon sale of your shares or may temporarily suspend your ability to sell shares if the fund's liquidity falls below required minimums because of market conditions or other factors. An investment in the fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The fund's sponsor has no legal obligation to provide financial support to the fund, and you should not expect that the sponsor will provide financial support to the fund at any time.

Government Money Market Funds that have chosen to rely on the ability to impose liquidity fees and suspend redemptions (designated by an "L") and

Retail Money Market Funds (designated by an "L"):

You could lose money by investing in the fund. Although the fund seeks to preserve the value of your investment at \$1.00 per share, it cannot guarantee it will do so. The fund may impose a fee upon sale of your shares or may temporarily suspend your ability to sell shares if the fund's liquidity falls below required minimums because of market conditions or other factors. An investment in the fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The fund's sponsor has no legal obligation to provide financial support to the fund, and you should not expect that the sponsor will provide financial support to the fund at any time.

Government Money Market Funds that have chosen not to rely on the ability to impose liquidity fees and suspend redemptions (designated by an "N"):

You could lose money by investing in the fund. Although the fund seeks to preserve the value of your investment at \$1.00 per share, it cannot guarantee it will do so. An investment in the fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The fund's sponsor has no legal obligation to provide financial support to the fund, and you should not expect that the sponsor will provide financial support to the fund at any time.

Annualized returns 12-31-2020

Standardized Returns (%)	7-day Yield Subsidized as of date	7-day Yield Unsubsidized as of date	1Yr	5Yr	10Yr	Since Inception	Inception Date	Max Front Load %	Max Back Load %	Net Exp Ratio %	Gross Exp Ratio %	Max Redemption %
Schwab US Dividend Equity ETF TM -NAV	—	—	15.11	14.25	—	14.20	10-20-2011	NA	NA	0.06	0.06	NA
Schwab US Dividend Equity ETF TM -Market	—	—	15.08	14.25	—	14.15	10-20-2011	NA	NA	0.06	0.06	NA
BBgBarc US Agg Bond TR USD			7.51	4.44	3.84	—	01-03-1980					
MSCI EAFE NR USD			7.82	7.45	5.51	—	03-31-1986					
Russell 1000 Value TR USD			2.80	9.74	10.50	—	01-01-1987					
S&P 500 TR USD			18.40	15.22	13.88	—	01-30-1970					
USTREAS T-Bill Auction Ave 3 Mon			0.39	1.17	0.61	—	02-28-1941					

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Annualized returns 12-31-2020

Return after Tax (%)	On Distribution					On Distribution and Sales of Shares			
	1Yr	5Yr	10Yr	Since Inception	Inception Date	1Yr	5Yr	10Yr	Since Inception
Schwab US Dividend Equity ETF TM -NAV	13.32	13.13	—	13.07	10-20-2011	8.74	10.97	—	11.30

Vanguard High Dividend Yield ETF (USD)

Morningstar Analyst Rating™
Gold
 09-14-2020

Overall Morningstar Rating™
★★★★
 1,132 US Fund Large Value

Standard Index
 S&P 500 TR USD

Category Index
 Russell 1000 Value
 TR USD

Morningstar Cat
 US Fund Large Value

Performance 02-28-2021

Quarterly Returns	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total %
2019	10.73	2.75	2.46	6.54	24.20
2020	-23.96	12.54	3.61	14.07	1.14
2021	—	—	—	—	3.95
Trailing Returns	1 Yr	3 Yr	5 Yr	10 Yr	Incept
Std Mkt 12-31-20	1.14	—	9.98	11.49	7.67
Std NAV 12-31-20	1.14	—	9.98	11.50	7.67
Mkt Total Ret	19.45	7.37	11.36	11.38	7.87
NAV Total Ret	19.51	7.37	11.34	11.39	7.87
+/- Std Index	-11.78	-6.77	-5.48	-2.04	—
+/- Cat Index	-2.71	-0.86	-0.67	0.99	—
% Rank Cat	68	53	58	9	—
No. in Cat	1,200	1,132	1,007	720	—

30-day SEC Yield 2021-03-12	Subsidized	Unsubsidized
	3.06	3.06

Performance Disclosure

The Overall Morningstar Rating is based on risk-adjusted returns, derived from a weighted average of the three-, five-, and 10-year (if applicable) Morningstar metrics.

The performance data quoted represents past performance and does not guarantee future results. The investment return and principal value of an investment will fluctuate; thus an investor's shares, when sold or redeemed, may be worth more or less than their original cost.

Current performance may be lower or higher than return data quoted herein. For performance data current to the most recent month-end, please call 800-662-7447 or visit www.vanguard.com.

Fees and Expenses

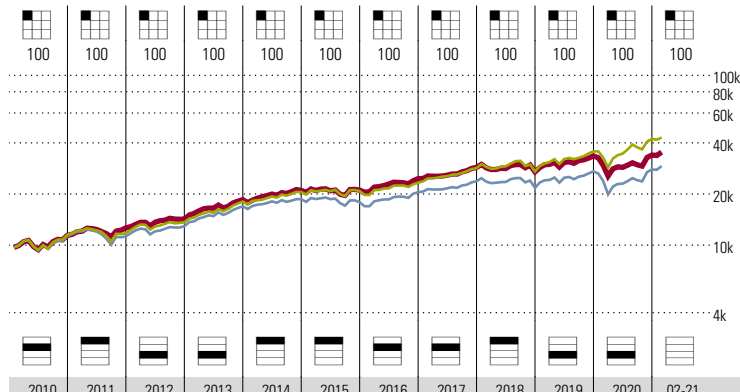
Fund Expenses

Management Fees %	0.05
Expense Ratio %	0.06
12b1 Expense %	NA

Risk and Return Profile

	3 Yr	5 Yr	10 Yr
Morningstar Rating™	3★	3★	5★
Morningstar Risk	-Avg	-Avg	-Avg
Morningstar Return	Avg	Avg	High
	3 Yr	5 Yr	10 Yr
Standard Deviation NAV	17.68	14.51	12.58
Standard Deviation MKT	17.62	14.48	12.54
Mean NAV	7.37	11.34	11.39
Mean MKT	7.37	11.36	11.38
Sharpe Ratio	0.41	0.73	0.87

MPT Statistics	Standard Index	Best Fit Index
NAV	—	Morningstar US
Alpha	-5.20	0.69
Beta	0.92	0.95
R-Squared	92.24	98.84
12-Month Yield	—	3.05%
Potential Cap Gains Exp	—	—
Leveraged	—	No
Leverage Type	—	—
Leverage %	—	100.00
Primary Prospectus Benchmark	FTSE High Dividend	Yield TR USD



Investment Style

Equity
 Stocks %

Growth of \$10,000

Vanguard High Dividend Yield ETF: 35,258
 Category Average: 29,218
 Standard Index: 42,954

Performance Quartile (within category)

History

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	02-21	History
14.22	10.54	12.69	30.08	13.52	0.28	17.05	16.42	-5.91	24.07	1.14	3.98	Mkt Total Ret %
14.17	10.50	12.68	30.26	13.47	0.33	16.87	16.42	-5.87	24.20	1.14	3.95	NAV Total Ret %
-0.89	8.39	-3.33	-2.13	-0.22	-1.05	4.91	-5.41	-1.49	-7.29	-17.26	2.23	+/- Standard Index
-1.34	10.11	-4.83	-2.26	0.02	4.16	-0.47	2.75	2.39	-2.34	-1.65	-1.12	+/- Category Index
38	2	74	64	10	8	27	46	23	64	63	—	% Rank Cat
1240	1258	1208	1213	1290	1378	1268	1260	1244	1209	1200	1221	No. of Funds in Cat
0.02	0.03	0.04	0.00	0.01	0.05	0.01	0.01	0.02	0.01	-0.02	—	Avg Prem/Discount %

Portfolio Analysis 02-28-2021

Asset Allocation %	Net %	Long %	Short %
Cash	0.00	0.00	0.00
US Stocks	97.62	97.62	0.00
Non-US Stocks	2.38	2.38	0.00
Bonds	0.00	0.00	0.00
Other/Not Clsfd	0.00	0.00	0.00
Total	100.00	100.00	0.00

Equity Style

Value	Blend	Growth			Avg	Index	Cap
			Large	P/E Ratio TTM	20.9	0.75	0.98
				P/C Ratio TTM	11.2	0.69	0.92
				P/B Ratio TTM	2.4	0.60	5.83
			Mid	Geo Avg Mkt Cap \$mil	85839	0.49	0.78
			Small				

Fixed-Income Style

Ltd	Mod	Ext
High	Mid	Low
Avg Eff Maturity	—	—
Avg Eff Duration	—	—
Avg Wtd Coupon	—	—
Avg Wtd Price	—	—

Credit Quality Breakdown —

	Bond %
AAA	—
AA	—
A	—
BBB	—
BB	—
B	—
Below B	—
NR	—

Regional Exposure

	Stocks %	Rel Std Index
Americas	97.8	0.99
Greater Europe	2.1	2.50
Greater Asia	0.1	1.54

Top Holdings 01-31-2021

Share Chg since 01-2021	Share Amount	Holdings : 409 Total Stocks, 0 Total Fixed-Income, 11% Turnover Ratio	Net Assets %
+	10 mil	Johnson & Johnson	3.91
+	11 mil	JPMorgan Chase & Co	3.54
+	9 mil	Procter & Gamble Co	2.84
+	28 mil	Bank of America Corp	2.08
+	15 mil	Intel Corp	2.07
+	15 mil	Verizon Communications Inc	2.06
+	16 mil	Comcast Corp Class A	2.04
+	26 mil	AT&T Inc	1.85
+	20 mil	Pfizer Inc	1.81
+	5 mil	Walmart Inc	1.78
+	9 mil	Merck & Co Inc	1.77
+	15 mil	Exxon Mobil Corp	1.72
+	5 mil	PepsiCo Inc	1.72
+	15 mil	Cisco Systems Inc	1.72
+	14 mil	Coca-Cola Co	1.69

Sector Weightings

	Stocks %	Rel Std Index
Cyclical	29.8	0.96
Basic Materials	4.1	1.79
Consumer Cyclical	3.0	0.24
Financial Services	22.7	1.59
Real Estate	0.0	0.01
Sensitive	34.8	0.74
Communication Services	6.6	0.59
Energy	7.3	2.58
Industrials	9.8	1.11
Technology	11.1	0.46
Defensive	35.4	1.60
Consumer Defensive	13.6	2.12
Healthcare	14.3	1.08
Utilities	7.6	3.01

Operations

Family:	Vanguard
Manager:	Multiple
Tenure:	5.1 Years
Total Assets:	\$34,866.4 mil
Shares Outstanding:	345.62 mil
Type:	ETF

Ticker:	VYM
Incept:	11-10-2006
Expiration Date:	—
Exchange:	NYSE ARCA
NAV:	95.15
Prem/Discount:	0.00

Mkt Price:	95.15
Base Currency:	USD
Legal Structure:	Open Ended Investment Company
Backing Bank:	Vanguard Group Inc

Standardized and Tax Adjusted Returns Disclosure Statement

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You could lose money by investing in the fund. Because the share price of the fund will fluctuate, when you sell your shares they may be worth more or less than what you originally paid for them. The fund may impose a fee upon sale of your shares or may temporarily suspend your ability to sell shares if the fund's liquidity falls below required minimums because of market conditions or other factors. An investment in the fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The fund's sponsor has no legal obligation to provide financial support to the fund, and you should not expect that the sponsor will provide financial support to the fund at any time.

Government Money Market Funds that have chosen to rely on the ability to impose liquidity fees and suspend redemptions (designated by an "L") and

Retail Money Market Funds (designated by an "L"):

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Annualized returns 12-31-2020

Standardized Returns (%)	7-day Yield Subsidized as of date	7-day Yield Unsubsidized as of date	1Yr	5Yr	10Yr	Since Inception	Inception Date	Max Front Load %	Max Back Load %	Net Exp Ratio %	Gross Exp Ratio %	Max Redemption %
Vanguard High Dividend Yield ETF-NAV	—	—	1.14	9.98	11.50	7.67	11-10-2006	NA	NA	0.06	0.06	NA
Vanguard High Dividend Yield ETF-Market	—	—	1.14	9.98	11.49	7.67	11-10-2006	NA	NA	0.06	0.06	NA
BBgBarc US Agg Bond TR USD			7.51	4.44	3.84	—	01-03-1980					
Morningstar US Large Value TR USD			-0.62	9.98	9.93	—	07-03-2002					
MSCI EAFE NR USD			7.82	7.45	5.51	—	03-31-1986					
Russell 1000 Value TR USD			2.80	9.74	10.50	—	01-01-1987					
S&P 500 TR USD			18.40	15.22	13.88	—	01-30-1970					

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Annualized returns 12-31-2020

Standardized Returns (%)	7-day Yield Subsidized <i>as of date</i>	7-day Yield Unsubsidized <i>as of date</i>	1Yr	5Yr	10Yr	Since Inception	Inception Date	Max Front Load %	Max Back Load %	Net Exp Ratio %	Gross Exp Ratio %	Max Redemption %
USTREAS T-Bill Auction Ave 3 Mon			0.39	1.17	0.61	—	02-28-1941					
Return after Tax (%)	On Distribution						On Distribution and Sales of Shares					
	1Yr	5Yr	10Yr	Since Inception	Inception Date		1Yr	5Yr	10Yr	Since Inception		
Vanguard High Dividend Yield ETF-NAV	0.15	9.08	10.61	6.77	11-10-2006		1.01	7.72	9.28	5.98		



J

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

June 24, 2021

TO: Bis-Man Transit Board of Directors
FROM: Deidre Hughes, Executive Director
SUBJECT: Recommendation of Civil Rights Policies Approvals

RECOMENDATION: Staff recommends that Bis-Man Transit implements the proposed Appeals and Complaint Policy.

BACKGROUND: During the 5310 Compliance review conducted by the North Dakota Department of Transportation, the reviewers indicated concerns about the current Title VI Plan. The proposed plan was reviewed by NDDOT Staff and deemed acceptable.

Throughout the Triennial Review process, it was indicated that Bis-Man Transit does not have a sufficient Reasonable Modification process or ADA complaint process in place. The proposed policies were created based off of the State of North Dakota plan as well as recommendations made by the National Rural Transit Assistance Program.

Upon approval, all policies will be integrated within the existing Policies and Procedures document and made accessible for individuals on the company website.

FINANCIAL IMPACT: None.



3750 E Rosser Avenue,
Bismarck, ND 58501



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701.258.6817



www.bismantransit.com



TITLE VI PROGRAM

Bis-Man Transit

JUNE 24, 2021

Deidre Hughes
dhughes@bismantransit.com

BIS-MAN TRANSIT
TITLE VI AND NON-DISCRIMINATION POLICY STATEMENT

Bis-Man Transit hereinafter referred to as the "TRANSIT AGENCY" is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and statutes. The TRANSIT AGENCY assures that no person or groups(s) of persons 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 and all programs, services, or activities administered by the TRANSIT AGENCY, regardless of whether those programs and activities are federally funded or not. In addition to Title VI, there are other nondiscrimination statutes which include sex, age, and disability. These requirements define an over-arching Title VI/Nondiscrimination and ADA Program.

The TRANSIT AGENCY also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the TRANSIT AGENCY will provide meaningful access to services for persons with Limited English Proficiency for language assistance free of charge to the person upon request.

In the event the TRANSIT AGENCY distributes federal-aid funds to a subrecipient, the TRANSIT AGENCY will include Title VI language in all written agreements and will monitor for compliance.

The TRANSIT AGENCY's Title VI Coordinator, Deidre Hughes, Executive Director, 701.258.6817, 3750 East Rosser Avenue, Bismarck, ND 58501, dhughes@bismantransit.com is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Signature

Title

Date

2021

Public Notification of Title VI Protection

The Title VI Notice to the Public (Appendix A) informs Bis-Man Transit riders of their rights in regards to transit and its services, specifically protection against discriminatory acts on the basis of race, color or national origin. Notices are posted at Transit offices, as well as on all fixed route and paratransit vehicles. The notice indicates procedures for the public to 1) request additional information on the recipient's Title VI obligations and 2) file a complaint with Bis-Man Transit. In addition to this notice, Bis-Man Transit's fixed route bus maps include a "statement of non-discrimination" followed by a "suggestions, compliments or complaints" section (Appendix B). Any complainant should inform Bis-Man Transit of any complaint regarding Title VI (race, color or national origin) protection through Bis-Man Transit's Complaint Process as directed through the Notice to the Public.

Bis-Man Transit

EXTERNAL COMPLAINTS OF DISCRIMINATION

PART I - COMPLAINANT INFORMATION (Print all items legibly.)

Name		Telephone
Street Address/P.O. Box		Email Address
City	State	Zip Code

PART II - CAUSE OF DISCRIMINATION OR COMPLAINT BASED ON [Check all appropriate box(s).]

Title VI of the Civil Rights Act of 1964

☐ Race ☐ Color ☐ National Origin

Other Nondiscrimination Statutes/Executive Orders

☐ Sex ☐ Disability ☐ Limited English Proficiency ☐ Age ☐ Income Status

PART III - THE PARTICULARS ARE: (Include names, dates, places, and incidents involved in the complaint.) [If additional space is needed, attach extra sheet(s).]

PART IV - REMEDY SOUGHT [State the specific remedy sought to resolve the issues(s).]

PART V - VERIFICATION

Complainant's Signature _____ Date _____

Instructions

GENERAL

1. Instructions provided within this form are not meant to be all inclusive. Any person or group(s) of persons filing external complaints of discrimination are responsible for all procedural requirements contained in the External Complaints of Discrimination process.
2. Under Title VI of the Civil Rights Act of 1964 or the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color, national origin; or sex, age, disability, limited English proficiency, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by **Bis-Man Transit**. Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the **Bis-Man Transit** Complaint Procedure.
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to **Executive Director, Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817.**

PART I

Complete all information in this section.

PART II

Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories under Title VI or Other Nondiscrimination Statutes/Executive Orders. If the complaint pertains to service and the type is not listed, select “Other” and describe.

PART III

State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

PART IV

State the minimum remedy acceptable for resolution of this complaint.

PART V

Sign and date this section to verify the information contained in Parts I through IV.

External Complaints of Discrimination

A. Introduction

Bis-Man Transit’s External Complaints of Discrimination process is consistent with the Federal Transit Administration’s (FTA) Title VI complaint procedures filed under Title VI of the Civil Rights Act of 1964 (and related nondiscrimination statutes), Title II of the Americans with Disabilities Act of 1990, and/or Section 504 of the Rehabilitation Act of 1973. The related nondiscrimination statutes, regulations, Executive Orders (E.O.), directives, and other references are available upon request.

B. Agencies Authorized to Receive Complaints

Complaints may be submitted to one of the following: Sub Recipient of NDDOT, NDDOT, FTA, the United States Department of Transportation (USDOT), or the United States Department of Justice (USDOJ). See Appendix A.

C. Persons Eligible to File

Any person or any specific class of persons, by themselves or by a representative, that believe they have been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964 (Race, Color, or National Origin), Section 504 of the Rehabilitation Act of 1973 (Section 504), or Title II of the Americans with Disabilities Act of 1990 (ADA), or related statutes (age, sex, or income status), may file a complaint.

D. Filing a Complaint

1. A complaint is a written or electronic statement concerning an allegation of discrimination that contains a request for the receiving office to take action. Complaints should be complete and sign Bis-Man Transit's External Complaints of Discrimination form and file by mail, fax, in person, or e-mail. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint, i.e., race, color, national origin; or sex, age, disability, income status, or limited English proficiency;
 - d. The identification of the respondent, i.e., agency/organization alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred; and
 - f. The date(s) of the alleged discriminatory act(s).
2. While the above indicates a complaint should be in writing and signed, Bis-Man Transit will accept complaints in alternate formats from persons with disabilities, upon request.
 - a. Upon request to Bis-Man Transit, the complaint may be filed on a compact disk (PDF, work document, or audio recording are all acceptable formats) or in Braille.
3. The complainant may contact Bis-Man Transit for assistance in filing a complaint. Bis-Man Transit will consider every request for reasonable accommodation to provide:
 - a. Accommodation for people with disabilities;
 - b. Language interpretation for people with limited English proficiency (LEP);
 - c. Translation of written materials necessary to access Bis-Man Transit programs and information.

To request accommodations, complainants may contact: Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817, info@bismantransit.com

TTY users may use Relay North Dakota at 711 or (800)366-6888.

E. Timeframes for Filing a Complaint

1. Complaints must be filed within 180 calendar days of the last date of the alleged discrimination, unless the time for filing is extended. The filing date of the complaint is the earlier of:
 - a. The postmark of the complaint, or
 - b. The date the complaint is received by any agency that has jurisdiction for the complaint. See Appendix A.

F. Complaints Received by Bis-Man Transit Under FTA Jurisdiction

1. Complaints filed under Title VI, related statutes, and Section 504/ADA in which Bis-Man Transit is named as respondent will be forwarded by Bis-Man Transit to NDDOT Civil Rights Division.
2. Title VI, related statutes, and Section 504/ADA complaints filed directly with Bis-Man Transit against its sub recipients or contractors will be processed by Bis-Man Transit in accordance with the FTA approved complaint procedures under FTA C 4710.1, FTA C 4702.1B, 49 CFR 27.13(b).
3. All written complaints will be investigated by the Administrative Office (**Executive Director, 701.258.6817m 3750 East Rosser Avenue, Bismarck, ND, 58501**) and a formal report will be issued to the complainant within 5 (five) business days.
4. Bis-Man Transit may investigate complaints against its sub recipients or contractors as follows:
 - a. The complaint will be reviewed within 10 business days to determine whether it contains all of the necessary information required for acceptance.
 - b. If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form and the Notice About Investigatory Uses of Personal Information fact sheet.
 - c. If the complaint is incomplete, the complainant will be contacted in writing or by telephone to obtain the additional information. The complainant will be given 10 business days to respond to the request for additional information.
 - d. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, or if the

complainant no longer wishes to pursue their case, the Bis-Man Transit can issue a letter and administratively close the case.

G. Complainant is Represented by an Attorney

Complainants represented by an attorney should provide a letter of representation.

H. Timeframes for Investigations by Bis-Man Transit

1. For Title VI or related statutes complaints, Bis-Man Transit is required to follow the FTA C 4702.1B to comply with reporting requirements of 49 CFR 21.9(b). The investigation information is recorded on the Transit Title VI – List of Investigations, Lawsuits, and Complaints (SFN 60805) and submitted to NDDOT every year. Although, FTA regulations do not specify a timeframe for the investigation of Title VI complaints, the Bis-Man Transit attempts to complete investigations within 90 calendar days of receipt of the complaint from NDDOT.
2. For Section 504/ADA complaints, Bis-Man Transit is required to follow the FTA C 4710.1 to comply with reporting requirements of 49 CFR 27.121(b). Bis-Man Transit shall forward a copy of the complaint, together with a copy of the report of investigation within 90 calendar days of receipt of the complaint to NDDOT and FTA.

I. Letters of Finding (LOFs)

1. The FTA has delegated authority for issuing LOFs for Title I, related statutes, and Section 504/ADA complaints processed by FTA.
2. Bis-Man Transit has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by Bis-Man Transit against FTA funded sub recipients or contractors.

J. Appeals

1. LOFs issued by the FTA are administratively final.
2. Closure letters or LOFs issued by Bis-Man Transit under FTA jurisdiction on Title VI, related statutes, and Section 504/ADA are administratively final. Individuals or a specific class of individuals, personally or through a representative, may submit a complaint to the North Dakota Department of Transportation (NDDOT) or Federal Transit Administration (FTA) within 180 days from the date of the alleged discrimination.

APPENDIX A

Agencies Authorized to Receive and Process Complaints of Discrimination

North Dakota Department of Transportation

Civil Rights Division
608 E. Boulevard Avenue
Bismarck, ND 58507-0700

Phone: (701) 328-2576
Fax: (701) 328-0343
TTY: 711 or (800) 366-6888

Federal Transit Administration (FTA)

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Phone (888) 446-4511

United States Department of Transportation (USDOT)

Departmental Office of Civil Rights
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Phone: (202) 366-4649
Fax: (201) 202) 366-5575
TTY/Assistive Device: (202) 366-9696

USDOJ – Race, Color, National Origin Complaints

Federal Coordination & Compliance Section – NRB
Civil Rights Division
U.S. Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Phone: (888) 848-5306 (English & Spanish)
(202) 307-2222 (voice)
(202) 307-2678 (TDD)

USDOJ – ADA Complaints

US Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Civil Rights Division
Disability Rights Section 1425 NYAV
Washington, DC 20530

Fax: (202) 307-1197

ADA Information Line: (800) 514-0301 (voice) or
(800) 514-0383 (TTY)
Main Section Telephone Number:
(202) 307-0663 (voice and TTY)

Inclusive Public Participation Plan

Bis-Man Transit follows the Bismarck-Mandan Metropolitan Planning Organization's Public Participation Plan (see Appendix D) for any public hearings, public meetings or reviews. The latest Transit Development Plan (TDP) was approved in April 2019. The MPO and Bis-Man Transit utilized various activities to increase the public's participation and interest in the TDP including:

1. A very "user friendly and reactive web page" was used to answer questions and comments from the public during the process.
2. Bis-Man Transit gave free bus rides to the TDP public meetings.
3. We have a variety of methods for the public to use to discussing transit issues. These methods include phone, e-mail, fax, social media sites (Facebook and Twitter), and in-person visits to the MPO or Bis-Man Transit office.
4. Public outreach through "meet and greets" at various educational and employment centers throughout the area.

In regard to engaging minority, disabled, and low income community members, Bis-Man Transit has public meetings in accessible meeting locations, during evening hours, and provides a variety of methods to communicate concerns, questions or comments.

Since the last Bis-Man Transit Title VI Program submission, Bis-Man Transit has developed and maintained social media accounts on Facebook and Twitter for the fixed route Capital Area Transit (CAT) service. Sites are updated at least weekly, and often multiple times a week, with pertinent updates and to encourage public comment and participation. Television, newspaper and radio marketing has also increased to inform the public about transit services and events.

The Bismarck-Mandan MPO, with Bis-Man Transit as an important member, employs numerous methods to reach "all people" with plans and studies. Accommodations are also made available to facilitate public attendance and participation at all meetings.

Limited English Proficiency Plan

For Bis-Man Transit

March 2020

Deidre Hughes
Executive Director
3750 E. Rosser Avenue, Bismarck, ND 58501
701-258-6817

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the Bis-Man Transit responsibilities as a recipient of federal financial assistance as they relate 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. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Bis-Man Transit departments receiving federal grant funds.

Plan Summary

Bis-Man Transit has developed this ***Limited English Proficiency 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 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, the Bis-Man Transit 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 the Bis-Man Transit.
2. The frequency with which LEP persons come in contact with Bis-Man Transit services.
3. The nature and importance of services provided by Bis-Man Transit to the LEP population.
4. The interpretation services available to Bis-Man Transit and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. **The number or proportion of LEP persons in the service area who may be served or are likely to require Bis-Man Transit services.**

The Bis-Man Transit staff reviewed the 2014-2018 ACS 5-Year Data Profile and determined that 1,415 individuals have limited English proficiency; that is that they speak English less than "very well" or "not at all." This is 1.2% of the overall population over the age of 5 in the Bismarck-Mandan Metropolitan Statistical Area (MSA). The percent of total LEP population speaking Spanish is 1.2%; Indo-European Languages, 0.5%; Asian-Pacific Island Languages, 0.1%; Other Languages, 0.1%.

Based on the 1,000 person or 5% threshold, there is no individual language group that falls under the Safe Harbor Provision in the Bismarck-Mandan MSA.

2. The frequency with which LEP persons come in contact with Bis-Man Transit services.

The Bis-Man Transit staff reviewed the frequency with which the Bis-Man Transit board and advisory committee members and Bis-Man Transit staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Bis-Man Transit has had no requests for interpreters and no requests for translated program documents. The Bis-Man Transit board and advisory committee members and Bis-Man Transit staff have had very little contact with LEP persons related to Bis-Man Transit services.

3. The nature and importance of services provided by Bis-Man Transit to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the service area for the Bis-Man Transit. The overwhelming majority of the population, 96%, speaks only English. As a result, there are few social, service, professional and leadership organizations within the Bis-Man Transit service area that focus on outreach to LEP individuals. The Bis-Man Transit Board advisory committee members and Bis-Man Transit staff are most likely to encounter LEP individuals through the transportation of clients.

4. The resource available to Bis-Man Transit and overall costs to provide LEP assistance.

Bis-Man Transit 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. Language translation if needed would be provided through a telephone interpreter line for which the city would pay a fee.

LANGUAGE ASSISTANCE

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 Bis-Man 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.

How the Bis-Man Transit staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All Bis-Man Transit staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- All Bis-Man Transit staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the Bis-Man Transit sponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals).

Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's 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.

Language Assistance Measures

Although the Bismarck-Mandan MSA has a very low percentage in of LEP individuals, that is, persons who speak English "not well" or "not at all," Bis-Man Transit will strive to offer the following measures:

1. The Bis-Man Transit staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Language interpretation will be accessed for non-English languages through a telephone interpretation service.

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 Bis-Man Transit will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

Bis-Man Transit weighed the cost and benefits of translating 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 any documents translated.

Due to the very small local LEP population, Bis-Man Transit does not have a formal outreach procedure in place, as of 2014. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, Bis-Man Transit will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

MONITORING

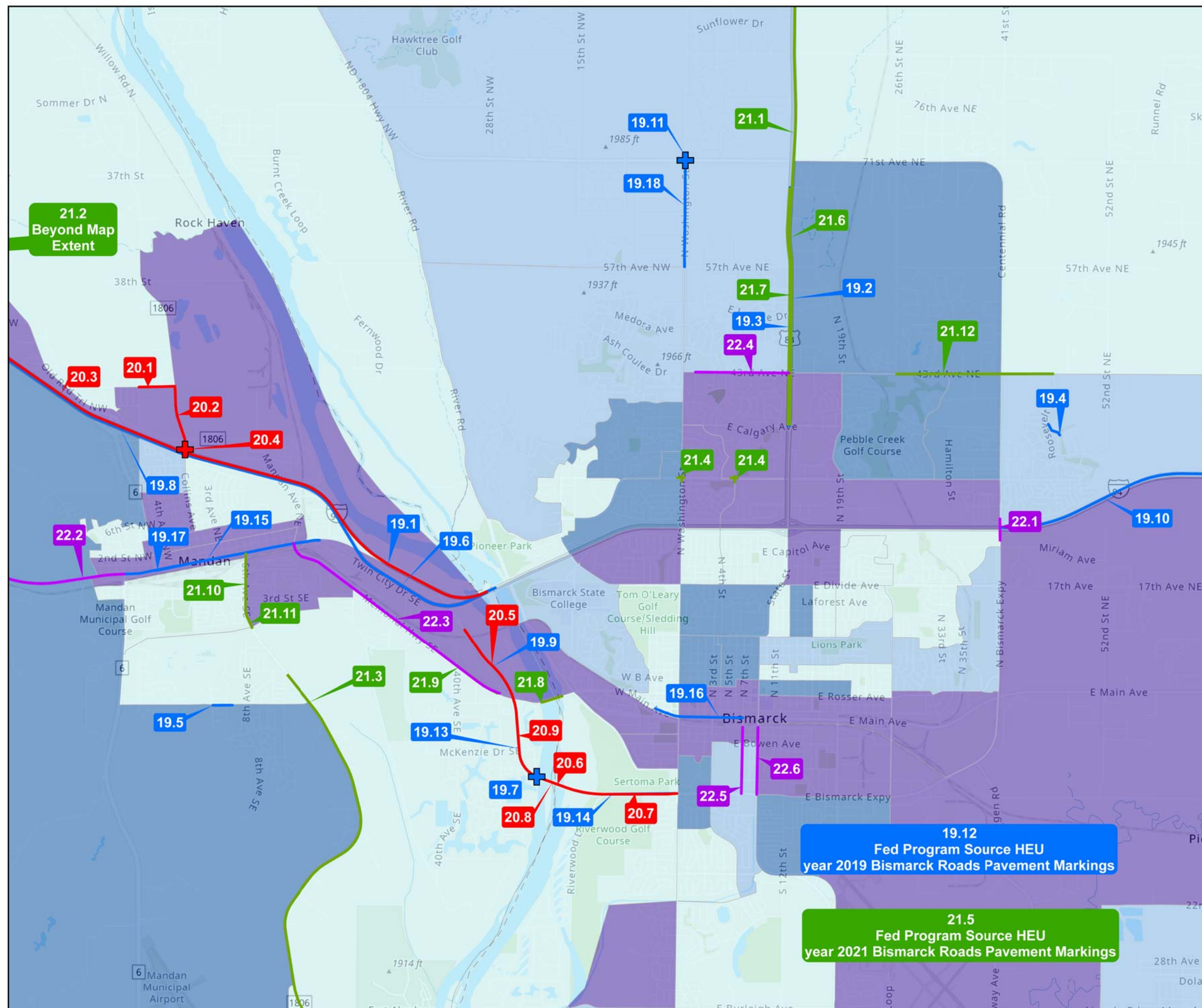
Monitoring and Updating the LEP Plan – Bis-Man Transit will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the latest Decennial U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Bis-Man Transit 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.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the Bis-Man Transit financial resources are sufficient to fund language assistance resources needed.
- Determine whether Bis-Man Transit fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

DISSEMINATION OF THE BIS-MAN TRANSIT LEP PLAN

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request at 701-355-1840.

Socio Economic Information



2019-2022 Transportation Improvement Program

2019-2022 TIP Projects

- 2019
- 2020
- 2021
- 2022

Minority Population (Census Block)

- 0% - 3%
- 3.1% - 5%
- 5.1% - 10%
- 10.1% +

Based on US Census Bureau 2010 Block Data. For this effort "Minority Population" is considered to be all races other than the US Census Bureau defined "White" Category.








0 0.5 1 2 Miles

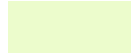




This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

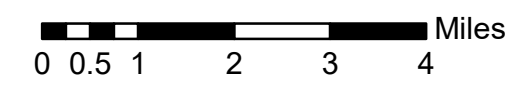
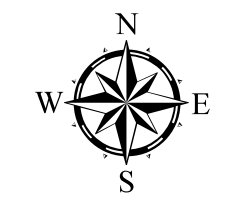
Map created by JTA August 2018 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
X:\ArcProjects\MPO\TIP\TIP.aprx

2019-2022 Transportation Improvement Program

-  MPO Boundary
- 2019-2022 TIP Projects**
-  2019
-  2020
-  2021
-  2022

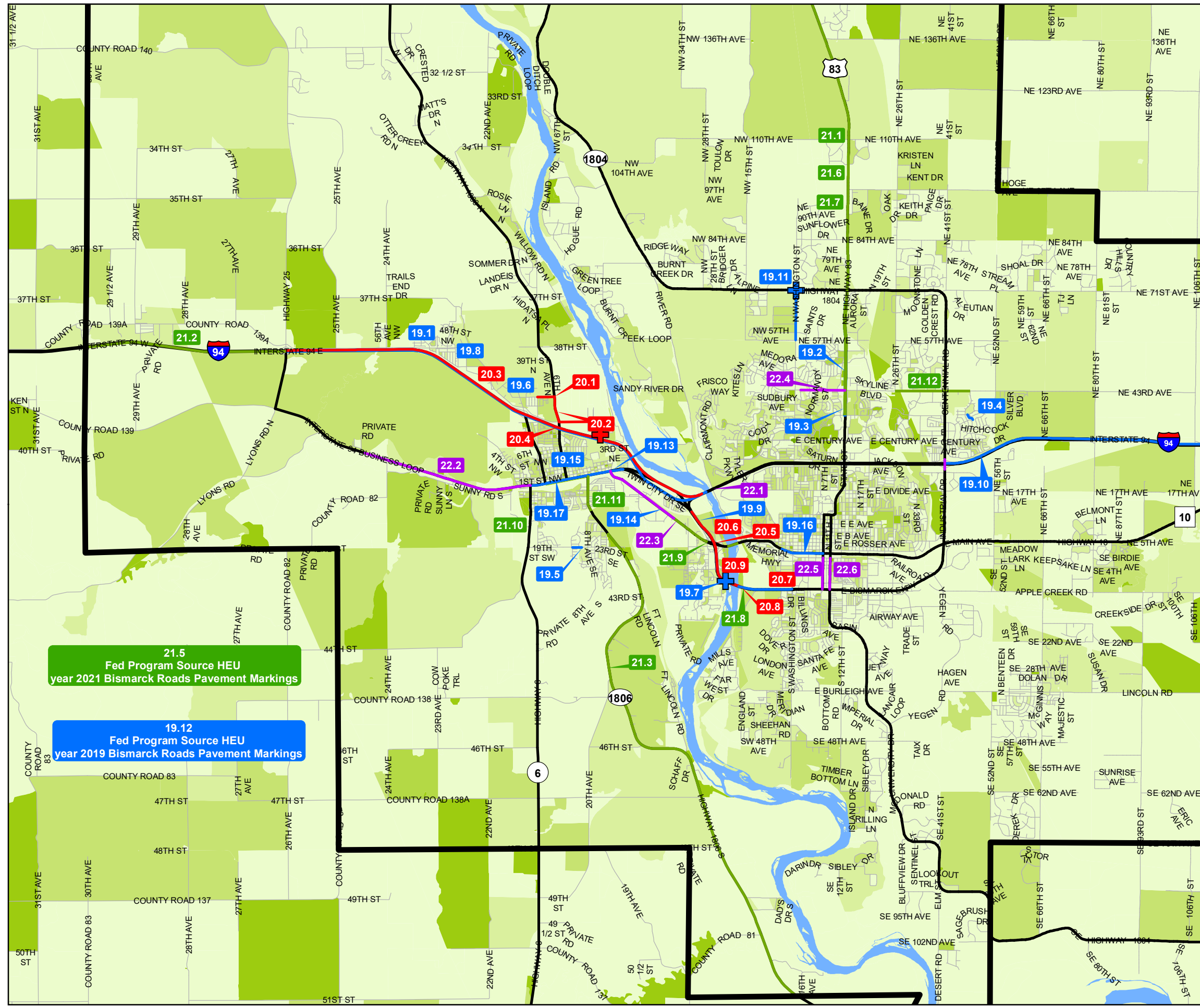
Percent "Elderly"

-  14% or Less
-  15% - 24%
-  25% - 49%
-  50 - 74%
-  75%-100%



This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by WRH June 2019 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
W:\MPO\Title VI\Maps\2019-2022TIP_Elderly.mxd



2019-2022 Transportation Improvement Program

2020-2022 TIP Projects

- 2020
- 2021
- 2022

Population in Poverty

(Census Block)

- 0% - 5%
- 5% - 10%
- 10% - 15%
- 15% - 20%

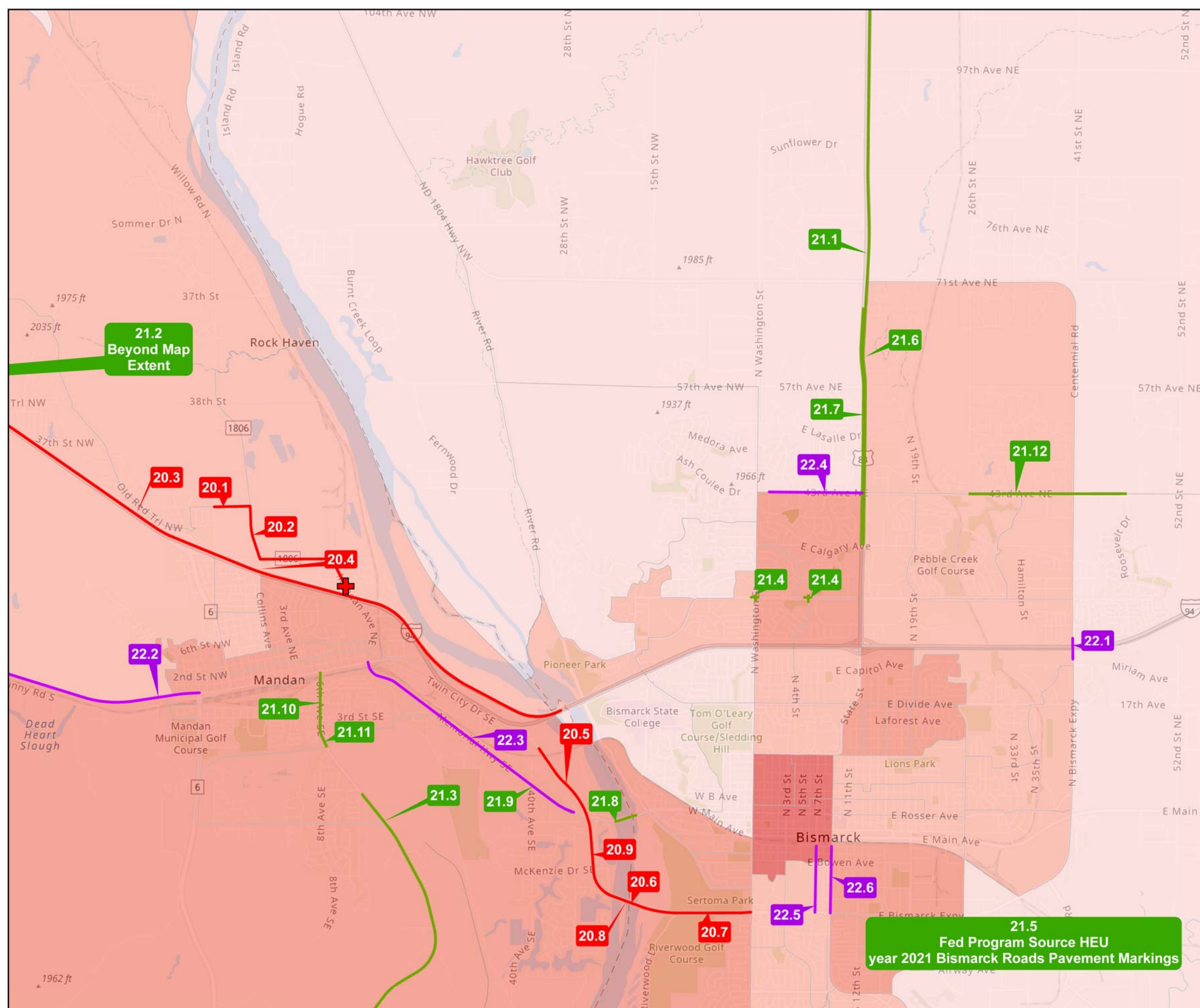
Based on US Census Bureau 2010 Block Data. For this effort "Minority Population" is considered to be all races other than the US Census Bureau defined "White" Category.



0 0.5 1 2 Miles

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Map created by JTA August 2018 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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2019-2022 Transportation Improvement Program




Ability to Speak English Less than "Very Well" in the Bismarck-Mandan MPO Area 2010-2014

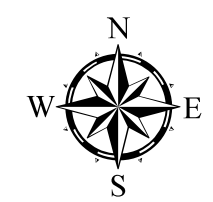
 MPO Boundary


2019-2022 TIP Projects

-  2019
-  2020
-  2021
-  2022

Percent Speak English Less Than Very Well (By Census Tract)

-  0% - .5%
-  .5+% - 1%
-  1+%



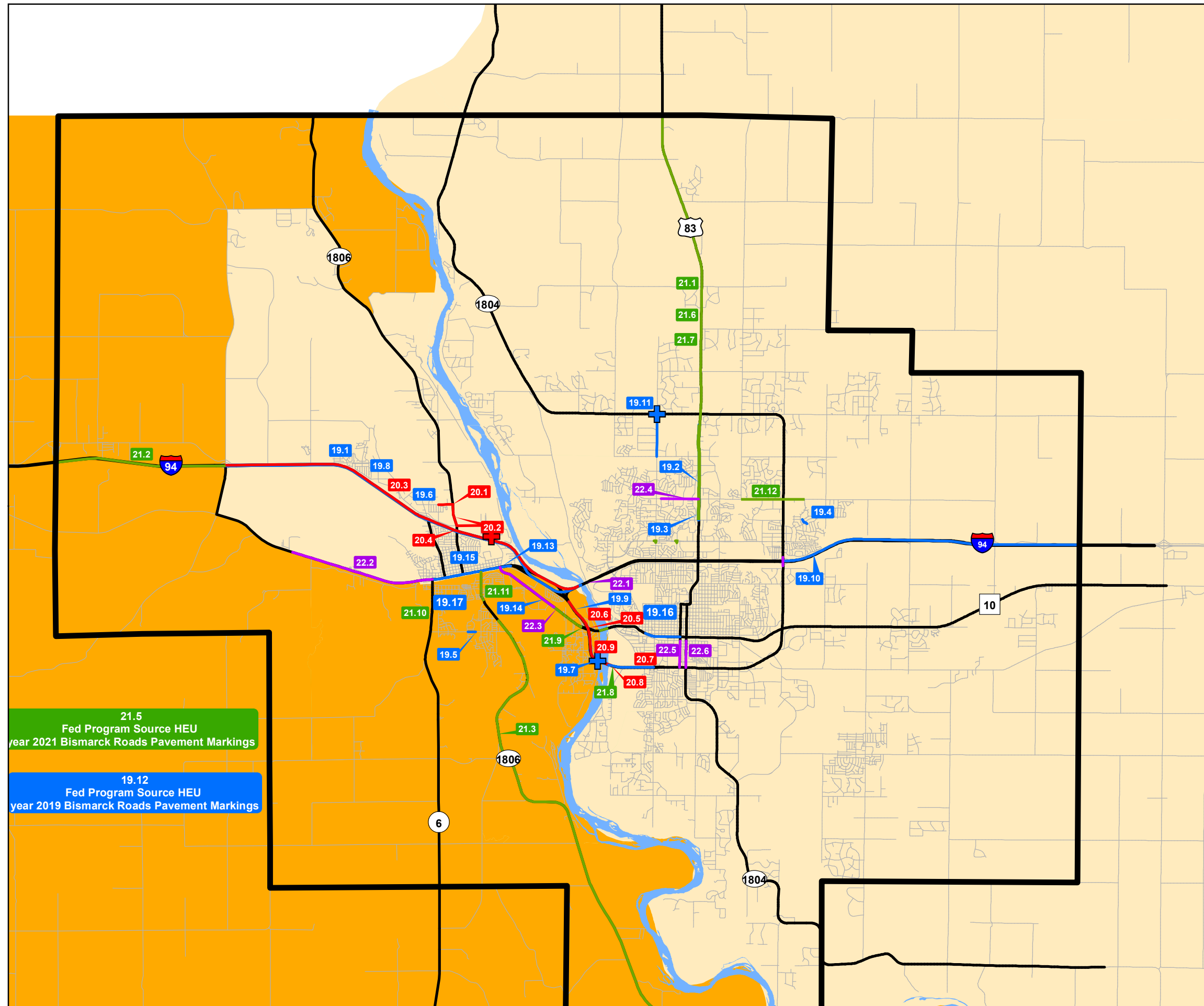
 Miles
0 0.5 1 2 3 4

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by WRH June 2019 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.

*Defined by 2010-2014 US Census Bureau American Community Survey Table B16001

W:\MPO\Title VII\Maps\2017-2020TIP_Language_LowEnglishProficiency_June2019.mxd



Transit Related Title VI Investigations, Complaints and Lawsuits

There have not been any lawsuits, complaints or investigations relating to Bis-Man Transit since the last Title VI report in March 2017.

Membership of Non-Elected Committees and Councils

The Bis-Man Transit Board elects their own members. Therefore, Bis-Man Transit has decided to document the membership of persons who represent minority classes. Although Transit's Board of Directors is not ethnically diverse, other minority and protected classes—including disabled persons and women—are highly represented. Overall this assembly reflects the local population, whose composition is not dominated by ethnic minorities.

Minority Populations Represented on Bis-Man Transit Board of Directors

Class		Number of Individuals	Percentage of Board (11 Members)	Percentage of Bismarck MSA*
RACE				
	Caucasian	9	100%	93.3%
	Other Races	0	0.0%	4.9%
	2 or More Races	0	0.0%	1.8%
SEX				
	Male	5	56%	50.6%
	Female	4	44%	49.4%
DISABILITY				
	Disabled	1	11%	--
	Non-Disabled	8	89%	--

*Percentages based on 2014-2020 U.S. Census Bureau American Community Survey, covering the Bismarck Metropolitan Statistical Area.

-- Estimate not available in 2014-2020 U.S. Census Bureau American Community Survey.

Monitoring of Subrecipients Title VI Compliance

All contractors or subcontractors performing work for Bis-Man Transit will be required to follow Title VI / LEP guidelines. Such assurance is made at the time the contract is established.

Title VI Equity Analysis of Newly Constructed Facilities

There have been no newly constructed facilities since the last Title VI plan was completed in 2017.

Bis-Man Transit System-Wide Service Standards and Policies

Scope of Service Standards and Policies:

Title 49 CFR states that “[n]o person or group of persons shall be discriminated against with regard to the to routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and locations of routes may not be determined on the basis of race, color, or national origin.” Service Standards and Policies are designed as qualitative controls, set by Bis-Man Transit to assess their operational practices and ensure that service design does not discriminate against Title IV protected classes.

Service Standards:

- **Vehicle Load Standard**
Fixed route buses should not exceed capacity during peak times, which will include a maximum number of 38 passengers on 30’ buses and 50 passengers on 35’ buses. To ensure safe and proper load standards, Bis-Man Transit will deploy only large buses on its heaviest routes during peak periods.
- **Vehicle Headway Standard**
Bis-Man Transit deploys only one bus per fixed route at all times and days of operation. Further, there are no plans to develop routes with multiple vehicles. Therefore, headway standards do not apply to the Capital Area Transit (CAT) services.
- **On Time Performance Standard**
Between 90 and 95 % of CAT buses will complete their routes no more than 5 minutes early or late in comparison to the published schedules.
- **Service Availability Standard**
Fixed route buses will continue to employ a flag system that allows passengers to begin or terminate a ride at the nearest safe corner to their current/desired location. Transit services will be distributed in a way to encompass the majority of the Bismarck-Mandan community.

Bis-Man Transit Service Policies:

- **Transit Amenities Policies**
Transit will provide benches at all shelters along bus routes. Shelters will be constructed based upon the number and frequency of passengers and in accordance with city ordinances. Passengers will have the right to request benches at timing and transfer points. Transit will provide benches provided there is no objection from surrounding businesses to said fixtures.
- **Vehicle Assignment Policies**
All 30’ CAT buses are comparable, if not the same, in seating and comfort standards. These buses will be deployed on random rotational basis to all routes throughout the Bis-Man community. The larger 35’ buses will be utilized during peak travel times on

routes with the highest average ridership, as these vehicles have the capacity to carry the largest influx of riders.

Notice to the Public

Bis-Man Transit Title VI Policy

Bis-Man Transit is responsible to provide a safe, dependable and affordable transportation service. We encourage any rider or concerned citizen to notify the administrative office if this standard of service is unmet. Any citizen who observes a Transit vehicle operator driving in an unsafe manner may contact the administrative office to report time and date of the incident. As ensured by the Bis-Man Transit Title VI Policy, Bis-Man Transit will not discriminate against an individual based on race, color, or national origin.* Any person who believes they have experienced discrimination under Title VI protections may file a complaint with Bis-Man Transit. Contact the Bis-Man Transit Administrative Office at 701-258-6817 or go online at www.bismantransit.com for additional information on our Title VI policies or to fill out a complaint.

*Title VI of the Civil Rights Act of 1964 governs race, color, and national origin. Related Nondiscrimination authority, 29 U.S.C. 790, governs disability.

Signed Steve Heydt Date 3/30/2020

Name Steve Heydt Title President, Bis-Man Transit Board

LOST AND FOUND

Lost and found items can be recovered at the Bis-Man Transit Center at 3750 East Rosser Avenue in Bismarck. Call the CAT Help line at 701-323-9228 to verify your item has been found. Lost and found will be held for 30 days before being discarded.

STATEMENT OF NONDISCRIMINATION

The Bis-Man Transit Board does not discriminate against any individual on the basis of race, color, or national origin in the provisions of public transportation services.

REASONABLE ACCOMMODATION

Bis-Man Transit will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for individuals with disabilities, language interpretation for people with limited English proficiency (LEP), and a translation of written materials, free of charge, necessary to access Bis-Man Transit programs and information. To request accommodations, contact Bis-Man Transit at 701-258-6817.

SERVICE INTERRUPTIONS

For CAT Bus and Paratransit bus service interruptions, visit us on Facebook, Twitter, or our website at www.bismantransit.com.

Service interruptions can also be heard by calling 701-323-9228 and **selecting option number 5.**



Bis-Man Transit Center

Physical and Mailing Address: 3750 East Rosser, Bismarck, ND 58501

Phone: 701-258-6817

Email: info@bismantransit.com

To use the online trip planner, [click here](#).

If you are requesting immediate help with mapping out a route, please call 258-6817. When calling, please have the location of your starting point, your destination, and the time you need to arrive at the destination handy.

Bis-Man Transit will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for individuals with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written materials, free of charge, necessary to access Bis-Man Transit programs and information. To request accommodations, contact Bis-Man Transit at (701) 258-6817.

To download a copy of the Bis-Man Transit Title VI complaint form and instructions, [click here](#).

We invite you to share your feedback with us and welcome comments through mail, email, telephone or in-person visits. Call (701)258-6817 to leave your comment with the administration office, mail your comments to 3750 East Rosser Avenue, Bismarck, ND, 58501 or email info@bismantransit.com. Please include as much information as possible with your comment (name, contact information, service utilized, route name, day/time of incident, etc.)

After hours, (Bis-Man Transit offices are open Monday through Friday 8:00 a.m. - 5:00 p.m.) you can use the below form to send your questions or comments to our staff.

ADA Complaint Procedures (Please check the appropriate complaint box below if applicable.)



Public Participation Plan

for the

Bismarck-Mandan

Metropolitan Planning Organization

December 2017

Public Participation Plan Purpose

The Bismarck-Mandan Metropolitan Planning Organization (MPO), with the aid of this Public Participation Plan, desires the participation and involvement of a broad range of interest groups, organizations, governments, and citizens to result in more creative and effective decision-making. Public participation:

- Educates the public on transportation issues and opportunities
- Builds public knowledge and trust about processes and issues
- Identifies public concerns and values
- Gathers information, develops consensus, resolves conflicts, and produces better decisions
- Enhances the accountability of government decisions through increased opportunity for citizen participation
- Gains the fresh perspective of empowered citizens leading to creative approaches
- Allows plans to be evaluated and refined
- Reduces delays and costs from not having public involvement

Public Participation Regulations

Public participation in transportation planning and programming gained new emphasis under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and was further expanded by the 1998 Transportation Equity Act for the 21st Century (TEA-21), the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and the 1994 Environmental Justice Executive Order 12898.

More recently, Moving Ahead for Progress in the 21st Century (MAP-21) was enacted in July 2012, and Fixing America's Surface Transportation (FAST) Act became the most current transportation authorization as it was signed into law December 4, 2015. Each transportation authorization differs in some regards to the one which preceded it, however, one thing has remained constant, and that is the requirement for a continuous, cooperative, and comprehensive metropolitan transportation planning process for the plans and programs developed by the MPO.

Federal regulations, such as those contained within 23 CFR 450.316, require MPOs to include public participation in development and implementation of its programs, plans, and activities, including the development and approval of their Metropolitan Transportation Plans (MTP) and Transportation Improvement Programs (TIP).

Federal regulations require early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts. It is policy of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), which are both oversight agencies of the MPO, to actively involve the public in a process that is transparent, cooperative, collaborative, and continuing.

Federal regulations further state that public participation must:

- Be proactive

- Provide complete information
- Provide timely public notice
- Enable full public access to key decisions
- Give opportunities for early and ongoing involvement to enable review and comment prior to any formal decisions
- Give explicit consideration and response to public input received during development of all MPO programs, plans, and activities, including the MTP and the TIP
- Consider the needs of those traditionally underserved by existing transportation systems

Role of the MPO

The MPO shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on any plans, programs, or studies.

The MPO should provide complete information, timely public notice, and access to public decisions. The intent of these mandates are to solicit public comment on ideas, issues, and scope on alternatives allowing the public to have a real influence throughout the planning stages and decision making process.

In carrying out the public process, the MPO shall, to the maximum extent practicable:

- Hold any public meetings at convenient and accessible locations and at varying times;
- Employ visualization techniques to describe plans; and
- Make public information available in electronically accessible format and means, such as websites, as appropriate to afford reasonable opportunity for consideration of public information

Goals & Objectives

Goal 1: Early Involvement

The public will be involved early in the decision making process.

Objective: Initiate the public involvement process once adequate information has been gathered to identify planning scope and to enable beneficial communication with the public and interested parties.

Objective: Actively encourage and facilitate early public participation and examination of regional issues.

Goal 2: Opportunity

All citizens will be given the opportunity to participate in transportation decision-making processes.

Objective: The MPO will evaluate notification methods and select the most appropriate for enhancing opportunity for public input.

Objective: Provide relevant jurisdictions, agencies, transportation modes, and interested parties the opportunity for ongoing involvement in regional decision making through representation on MPO committees and advisory bodies which develop recommendations on transportation issues.

Goal 3: Information

The public will be provided with clear, timely, and accurate information.

Objective: Expand the public's awareness and understanding of regional issues and MPO activities by disseminating information through an effective and multifaceted effort.

Objective: Employ visualization techniques wherever they may be effectively used. Key planning information will be made available either on the MPO's website or a website for each individual project, as appropriate.

Goal 4: Techniques

The public participation process will be flexible and varied. Several techniques will be utilized and combined to yield the most effective results and to meet a particular need.

Objective: Increase interaction and dialogue with local governments on day-to-day metropolitan transportation issues to yield input on solutions. Coordinate informal meetings to discuss transportation issues and designate a transportation contact for each jurisdiction.

Objective: Prior to the beginning of each planning project, establish methods and a schedule for public participation that best fits the unique characteristics of the given planning effort.

Objective: Periodically review the effectiveness of public involvement techniques utilized by the MPO.

Public Participation Procedures for the Metropolitan Transportation Plan, Transportation Improvement Program, Unified Planning Work Program, and Title VI and Non-Discrimination/ADA Plan

Transportation professionals must provide technical and professionally sound guidance, must be fiscally responsible, and must educate the public sufficiently to enable them to offer informed opinions about transportation issues.

Procedures for the Metropolitan Transportation Plan (MTP)

The Public Participation Plan, at a minimum, should be reviewed and updated as appropriate prior to the Metropolitan Transportation Plan development process.

The following steps are considered minimum procedures that will be followed to fulfill the public participation requirements for completion of a Metropolitan Transportation Plan. Additional efforts may be performed when deemed beneficial to the overall public involvement process.

1. The MPO or its representative will meet with each metropolitan jurisdiction to ask them to detail their short and long-term transportation goals.
2. Public meetings will be held on each side of the Missouri River to discuss these lists and generate input on other transportation issues in the metro area.
3. The MPO or its representative will consult with Federal, State, and Tribal wildlife, land management, and regulatory agencies. Additionally, the MPO shall provide reasonable opportunity for comment to interested citizens and groups covered in the MPO's master contact list, which, in general, may include, but is not limited to:
 - Public agencies
 - Representatives of public transportation employees
 - Freight shippers
 - Providers of freight transportation services
 - Private providers of transportation
 - Representatives of users of public transportation
 - Representatives of pedestrians
 - Representatives of bicyclists
 - Representatives of the disabled
 - Representatives of the elderly
 - Environmental review agencies
 - Other interested parties
4. Once a Draft MTP is developed, it will be released for 30-day public comment. A legal notice or advertisement will be published in The Bismarck Tribune at least 30 days prior to the end of the public comment period. The day of publication does not count toward

the 30-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 30-day notice period as the Mandan News is currently only published once per week.

5. At the end of the comment period, the MTP will be presented to local jurisdictions governing bodies for final review and acceptance. Comments will be compiled and the final MTP will be presented to the TAC and Policy Board for approval.
6. The MPO or its representative will follow the advertisement policy contained within the Public Participation Plan.
7. The MPO will publish the Draft and Final versions of the MTP accessible from the following website: www.bismarcknd.gov/mpo

Addressing Public Comment Related to the MTP

Prior to MPO Policy Board action public comments will be summarized, answered (where appropriate) and suggested modifications presented. If public comment leads to significant changes in the proposed MTP, an additional 15-day comment period will be provided for the public to comment on those revisions.

Amendments to the MTP

MTP Amendments will be released for a 15-day public comment period if they are significant in nature. Significant amendments may include:

- Adding or removing short, medium, and/or long range projects
- Any other projects that have the potential to affect the fiscal constraint of the MTP
- Projects negatively impacting air quality or environmental justice areas (concentrated populations of low income and minorities)

The MPO will host a public hearing and publish a legal notice or advertisement in The Bismarck Tribune at least 15 days prior to the public meeting if the proposed amendment is deemed significant in nature. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 15 day notice period as the Mandan News is currently only published once per week. Significant MTP Amendments will require MPO Policy Board approval.

MTP Administrative Modifications may include minor changes which do not materially alter the purpose, scope, or use of the document. The MPO TAC and Policy Board, as well as NDDOT, FHWA, and FTA, will be notified regarding an MTP Administrative Modification. Public notification is not required for an MTP Administrative Modification.

Procedures for the Transportation Improvement Program (TIP)

The MPO maintains a master contact list of local transportation stakeholders. To the extent possible the MPO will consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements). Once the Draft TIP is prepared copies should be submitted to individuals/agencies on the MPO master contact list for review.

1. Once the Draft TIP is prepared, a legal notice or advertisement will be issued in local newspapers stating:
 - The purpose of the TIP
 - A brief description of the anticipated planning process
 - Actions to be taken
 - The location where locally proposed project lists can be viewed or secured
 - The time and place to obtain information or provide public input on the preliminary proposals
 - The MPO contact, if further information is desired
2. The Draft TIP will be released for 15 days for public comment during which oral and written comments may be submitted (the public can also submit them at the Technical Advisory Committee (TAC) meetings). A legal notice or advertisement will be published in The Bismarck Tribune at least 15 days prior to the end of the public comment period. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum.
3. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 15-day notice period as the Mandan News is currently only published once per week.
4. The MPO will host a public hearing on submitted Draft TIP projects. Notification for the public meeting may occur in conjunction with the aforementioned 15-day public comment period legal notice or advertisement in the Bismarck Tribune and the Mandan News *or* could occur in addition to the legal notice or advertisement. If notification for the public meeting is published independently of the 15-day public comment period legal notice or advertisement, it will be published at least 15 days prior to the meeting.

Additional notification, when available and applicable, may be provided, including, but not limited to, as follows:

- Bismarck-Mandan Chamber of Commerce newsletter
 - North Dakota Chamber of Commerce newsletter
 - United Tribes campus newsletter Dakota/Lakota Journal
 - Dakota Media Access
5. The MPO will compile oral and written comments, and provide them to each jurisdiction and the MPO Policy Board prior to approval.

6. The MPO will publish the Draft and Final versions of the TIP on the following website:
www.bismarcknd.gov/mpo
7. The final MPO TIP will be submitted to the state DOT for incorporation into the Statewide Transportation Improvement Program (STIP).

Addressing Public Comment Related to the TIP

Prior to MPO Policy Board action, public comments will be summarized, answered (where appropriate), and suggested modifications presented. If public comment leads to significant changes in a proposed TIP, an additional 15-day comment period will be provided for the public to comment on those revisions.

Amendments to the TIP

TIP Amendments will be released for a 15-day public comment period if they are significant in nature. Significant amendments may include:

- Major scope changes to individual projects
- Significant cost changes (increases or decreases generally greater than or equal to 10% of the total cost of the subject TIP year or \$1,000,000 whichever is less)
- Adding or removing projects
- Any other projects that have the potential to affect the fiscal constraint of the MTP Projects negatively impacting air quality or environmental justice areas (concentrated populations of low income and minorities)

The MPO will host a public hearing and publish a legal notice or advertisement in The Bismarck Tribune at least 15 days prior to the public meeting if the proposed amendment is deemed significant in nature. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum.

In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 15-day notice period as the Mandan News is currently only published once per week. Significant TIP Amendments will require MPO Policy Board approval.

TIP Administrative Modifications may include:

- Minor scope changes
- Minor cost changes (increases or decreases of generally less than 10% of the total cost of the subject TIP year)

The MPO TAC and Policy Board, as well as NDDOT, FHWA, and FTA, will be notified regarding TIP Administrative Modifications. Public notification is not required for a TIP Administrative Modification.

Procedures for the Title VI and Non-Discrimination/ADA Plan (Title VI)

1. Title VI is subject to an internal audit, performed by MPO staff, on an annual basis.
2. Deficiencies or updates identified by the audit must be remedied within 90 days from the date of the audit. These are generally considered administrative modifications and may include any of the following:
 - Updates to forms or tables
 - Grammatical corrections to existing text
 - Language or text modification or additions within existing sections of the document for purposes of clarification
3. Although a public notification period is required, neither a public hearing nor formal adoption by the Policy Board are required.
4. Modifications to the Title VI Plan will be released for 15-day public comment. A legal notice or advertisement will be published in The Bismarck Tribune at least 15 days prior to the end of the public comment period. The day of publication does not count toward the 15-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 15-day notice period as the Mandan News is currently only published once per week.
5. At the end of the comment period, the administrative modifications to the Title VI Plan will be presented to TAC and Policy Board for their information.

Significant Revisions to Title VI

Significant changes to Title VI, such as those resulting in a substantially alternative interpretation of an existing section of the document or the creation of a new section to the document, shall require the following procedure.

1. The MPO will host a public hearing and publish a legal notice or advertisement in The Bismarck Tribune at least 30 days prior to the end of the public comment period. The day of publication does not count toward the 30-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the same 30-day notice period as the Mandan News is currently only published once per week.
2. The MPO will compile oral and written comments and provide them to the MPO Policy Board prior to approval.
3. The MPO will publish the Draft and Final version of the Title VI on the following website: www.bismarcknd.gov/mpo .

Procedures for the Unified Planning Work Program (UPWP)

1. The MPO will consult with the local MPO member jurisdictions in the development of the UPWP.
2. The MPO will publish the UPWP on the following website: www.bismarcknd.gov/mpo

Amendments to the UPWP

Amendments can be made to the UPWP. Amendments must be approved by the MPO Policy Board, NDDOT and FHWA/FTA (as applicable) before becoming a part of the active UPWP.

The MPO is allowed to move funding between tasks to an amount up to 10% of the total cumulative yearly amount, without North Dakota Department of Transportation (NDDOT) and Federal Highway Administration/Federal Transit Administration (FHWA/FTA) approval.

Funding added over the contract amounts, new projects, or budgetary changes in excess of 10% (cumulative yearly amount) will continue to require NDDOT and FHWA/FTA approvals of amendments to the UPWP. In addition, the MPO must advise the NDDOT and FHWA/FTA of any budgetary changes within the 10% limits described above.

Procedures for the Public Participation Plan

1. The Public Participation Plan will be released for a 45-day public comment period regarding the development of the document and any subsequent significant revisions.
2. A legal notice or advertisement will be published in The Bismarck Tribune at least 45 days prior to the end of the public comment period. The day of publication does not count toward the 45-day requirement; however, the final day of the comment period does count toward the required minimum. In addition, a legal notice or advertisement will be published in the Mandan News but is not subject to the 45-day notice period as the Mandan News is currently only published once per week.
3. The MPO Policy Board will take action on the possible adoption of the Public Participation Plan or subsequent significant revisions considering comments received after the 45-day public comment period.

General Advertisement Policy

The MPO or its representative will advertise public meetings, hearings, or events in the Bismarck Tribune, and/or the Mandan News. The goal is to place advertisements a minimum of 15 days in advance of the meeting, unless allowed otherwise by the MPO and involved local jurisdictions.

All public notices which publish in the Bismarck Tribune and/or the Mandan News will be posted to the MPO website at: www.bismarcknd.gov/mpo.

Direct mailing notifications will be considered if appropriate and will be coordinated with local staff to achieve maximum reasonable coverage and response.

Additional notification, when available and applicable, may be provided as follows, including but not limited to:

- Bismarck-Mandan Chamber of Commerce newsletter
- North Dakota Chamber of Commerce
- United Tribes campus newsletter
- Dakota/Lakota Journal
- Dakota Media Access

Additional Public Outreach Efforts

In addition to public involvement efforts previously identified in this document the MPO will consider the use of the following outreach efforts as appropriate, including, but not limited to:

- Presentations to professional, citizen, and/or student organizations
- Articles in local newsletters
- Press releases and meetings with the local media
- Interviews with local businesses and/or individuals affected by possible study recommendations
- Presentations/workshops by recognized experts in transportation planning related issues
- Internet, e-mail, telephone, or mail-out surveys
- E-mail notification of MPO public meetings or events
- Use of social-networking media to inform interested individuals of MPO activities
- Use of community access television for MPO meetings, projects, or events
- Use of visual aids such as, but not limited to, maps, charts, pictures, videos, animation, and graphs.
- Use of the Internet (including the MPO website, www.bismarcknd.gov/mpo) to provide increased access to MPO material
- Use of the Internet (including the MPO website, www.bismarcknd.gov/mpo) to provide notification of MPO meetings, projects, or events
- Use of local events calendars to provide notification of MPO meetings or events
- Publication of MPO Newsletter
- Provide local public libraries with draft and final planning documents
- Develop posters which depict information about upcoming public meetings to be displayed at public, high school, and university libraries, significant shopping centers, local community events (farmer's markets or festivals), and popular business establishments (for example grocery stores, banks, coffee shops within a given study area)
- Public kiosks

Addressing Public Comment

Public comments that are received will be documented, summarized to committees and addressed in the appropriate planning or programming documents. Significant public input shall be recognized and identified in final documents (MTP Amendments, TIP Amendment Resolutions, other resolutions, and appendices of plans) and will be presented to the MPO.

Prior to MPO Policy Board action public comments will be summarized, answered (where appropriate) and suggested modifications presented. If public comment leads to significant changes in a proposed plan or TIP, an additional 15-day comment period will be provided for the public to comment on those revisions.

Access to MPO Plans, Programs, and Studies

Hard copies of the current Metropolitan Transportation Plan, Transportation Improvement Program, Title VI and Non-Discrimination/ADA Plan, Unified Planning Work Program, and other MPO planning efforts will be available at the MPO office located at:

The City/County Building
221 North 5th Street (2nd Floor Bismarck Community Development Department)
Bismarck, ND

Electronic versions of the aforementioned documents will also be made available on the following MPO website: www.bismarcknd.gov/mpo

Responsiveness to Special Needs

All public notices will offer the provision of special accommodations or auxiliary aids for those needing such assistance. Upon request by individuals with special needs, the MPO will work with local resources to provide them with information in the format best suited for their request.

Meeting facilities should be accessible to mobility impaired individuals and meetings should be scheduled at various times to accommodate various work schedules. Arrangements for assistance to people with any disability will be pursued.

All public notices shall contain the following language: "To request accommodations for disabilities and/or language assistance, contact Title VI/ADA Coordinator at 701-355-1332, MPO@bismarcknd.gov, or TTY 711 or 1-800-366-6888 at least five (5) days in advance of the meeting."

Additional information on ADA or Limited English Proficiency resources available can be found in the Bismarck-Mandan MPO's Title VI and Non-Discrimination/ADA Plan at <http://www.bismarcknd.gov/1335/Title-VI-and-Non-Discrimination-Plan> .

Environmental Justice

Environmental justice is the public policy goal of ensuring no government activities bear disproportionately high or negative impacts on low income or minority populations. MPOs are required to identify disproportionately high or adverse affects to these populations. Additionally, MPOs are to seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low income and minority households, who may face challenges accessing employment and other services as stated in 23 CFR Part 450.316 (1) (vii).

As required by the FAST Act, the MPO will assess the distribution of federal funds and evaluate their Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) for environmental justice considerations.

In an effort to meet the intent of Environmental Justice, the MPO has identified known low income and minority representing agencies and groups within its master contact list. This list will be updated as more individuals, groups and agencies pertaining to environmental justice are identified.

The MPO will evaluate the potential for adverse impacts on Environmental Justice populations by considering where low income and minority populations issues exist in ongoing transportation planning activities, seeking active participation by these populations, and evaluating Environmental Justice concerns that are identified.

Other Information

The MPO has expanded its mailing list to include: citizens, elderly and disabled advocacy groups, public and private agencies, officials, government staff, and businesses. The MPO will continue to make additions to and refine its mailing list as new contacts are identified over time.

The MPO and Bis-Man Transit entered into a joint understanding (Memorandum of Understanding dated 5/23/02) regarding contact and involvement relating to transit and transportation issues. This agreement is available from the MPO upon request. In that agreement, Bis-Man Transit agrees to help the MPO in contacting and involving elderly and disabled individuals and representative groups. Although the MPO maintains contact information for such groups, it is recognized this is a specific area of strength for Bis-Man Transit. It may, at times, become necessary for the MPO to reach out to a more extensive set of recipients than allowed by the current list it maintains. It is understood in these instances Bis-

Man Transit will assist in such an effort as requested by the MPO. Below is a list of the current contact list for elderly and disabled maintained by the MPO and is subject to change at any time.

AARP	Guardian & Protective	Primrose Retirement
Aid, Inc.	Services	Communities
American Heart Association	Lutheran Social Services	Senior Center
Baptist Home Social Services	Mandan Golden Age	Senior Health Insurance
Burleigh County Housing	Services	Counseling
Authority	Marillac Manor	St. Alexius/CHI Eldercare
Burleigh County Seniors	Sanford Social Services	St. Alexius/CHI Medical
Community Action	Missouri Slope Area United	Center Social Services
Community Health Care	Way	St. Vincent's Care Center
Association	Missouri Slope Lutheran	Sunrise Cottages of Bismarck
Community Options, Inc.	Care Ctr Social Svcs	Volunteer Caregiver
Enable, Inc.	ND Vocational Rehabilitation	Exchange
Great Plains Rehabilitation	Pride, Inc.	Touchmark on West Century
		West River Transportation

Federal regulations identify public participation requirements in the development of the Program of Projects (POP). Bis-Man Transit annually develops a POP for inclusion in the Transit Improvement Project section of the TIP. The public participation requirements identified in United States Code Chapter 49 Section 5307c.1-7 are satisfied through the use of the Public Participation Procedures for the TIP identified in this document.

The MPO Public Participation Plan will be reviewed regularly by the MPO TAC and Policy Board. The MPO PPP will be reviewed, at a minimum, with the commencement of each update performed to the MTP.

Contact for the MPO on all matters relating to the Public Participation Plan:

Steve Saunders, Executive Director
 Bismarck-Mandan MPO
 221 N. 5th St.
 PO Box 5503
 Bismarck, ND 58501
 Phone: 701-355-1840
 Fax: 701-222-6450
 E-mail: ssaunders@nd.gov



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Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

REASONABLE MODIFICATION POLICY

In accordance with ADA regulations, it is the policy of Bis-Man Transit to provide individuals with disabilities with a reasonable modification to its policies, practices, and procedures so that they can access Bis-Man Transit's programs, facilities and services.

What is a reasonable modification?

A reasonable modification is a change or exception to a policy, practice, or procedure which allows people with disabilities to have equal access to programs, services and activities. **Reasonable modifications must always be related to the individual's disability.**

What is the process for requests?

Whenever possible, requests for reasonable modifications shall be made and determined in advance. An advance request for reasonable modification can be sent to:

Bis-Man Transit
3750 East Rosser Ave
Bismarck, ND 58501
Telephone: 701.258.6817
Email: info@bismantransit.com

The request shall include:

- Your contact information;
- A description of what you need in order to use a Bis-Man Transit service; and
- What changes or modifications you believe would be necessary to provide you full access to Bis-Man Transit's services.

Bis-Man Transit will use its best efforts to make a response as soon as practical. In some instances, additional information will be necessary to process the request. Please ensure your contact information is included with your request.

What is the process for making on the spot requests?

Bis-Man Transit understands it may not be possible for a reasonable modification request to be made and determined in advance. In these instances, please request a reasonable modification with a Bis-Man Transit operator at the time of issue. A response to an *on the spot request* will



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

be made at the time of the request. Responses to *on the spot requests* can include: granting the request, denying the request, or referring the passenger to Bis-Man Transit management for further processing. Operators will generally seek assistance from Bis-Man Transit management during these instances via the two-way radio.

For what reasons may Bis-Man Transit deny a reasonable modification request?

Bis-Man Transit may deny a reasonable modification request, whether made in advance or on the spot, for the following reasons:

1. Granting the request would fundamentally alter the nature of Bis-Man Transit's services, programs or activities;
2. Granting the request would create a direct threat to the health or safety of others;
3. The individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose without the need of a modification; and/or
4. Granting the request would cause Bis-Man Transit undue financial or administrative burden.

If a request is denied, Bis-Man Transit will act to the maximum extent possible to ensure the individual receives Bis-Man Transit's services or benefits.

What are examples of reasonable modifications Bis-Man Transit generally will grant?

Bis-Man Transit will generally grant the following reasonable modification requests for individuals with disabilities:

- A request from a passenger whom has diabetes (or another medical condition) to eat or drink aboard a vehicle in order to avoid adverse health consequences so long as the drink is in a spill proof container and the food is a small snack that cannot cause any spills;
- A request for transit personnel to handle fare media when the passenger with a disability cannot pay the fare by the generally established means; for instance, when the passenger cannot reach or insert a fare into the fare box themselves;
- A request from a wheelchair user to board a vehicle separately from his or her device (if the individual is capable of doing so) when the occupied weight of the device exceeds the design load of the vehicle lift.

This list of examples is neither exhaustive nor exclusive. Passengers with disabilities are encouraged to contact Bis-Man Transit with specific reasonable modification requests.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

It is Bis-Man Transit's goal to operate a safe, efficient, and effective transportation system that provides mobility and accessibility to persons with disabilities.

The request should be as specific as possible and include information on why the requested modification is needed in order to allow the individual to use Bis-Man Transit services. Bis-Man Transit will make every effort to communicate determinations on requests for modifications in advance of when the service will be needed verbally or in writing.

There are several ways to request a modification/accommodation form pursuant to the Americans with Disabilities Act.

Access the form online: Complete and submit the Reasonable Modification Request Form

Mail: Complete the Reasonable Modification Request Form, print it and mail to: Bis-Man Transit, Attention Mike Mundahl, 3750 East Rosser Ave, Bismarck, ND 58501

Fax: Complete the Reasonable Modification Request Form, print it and fax to 701.258.6752.

Pick up a form: Bis-Man Transit, 3750 East Rosser Ave, Bismarck, ND 58501

Email: Email Mike Mundahl; Marketing & Mobility Specialist at info@bismantransit.com.

To obtain information about procedures and/or how to file a complaint, contact Mike Mundahl; Marketing & Mobility Specialist by one of the methods listed below:

Email: info@bismantransit.com

Phone: 701.258.6817

Fax: 701.258.6752

Reasonable Modifications requests will be processed in the following manner:

All requests will be logged into a Reasonable Modification/Accommodation spreadsheet noting the requester's name, date, contact information, specific modification request, outcome, and requester date of notification.

Individuals requesting modifications will be asked to supply sufficient detail within the request so that agency staff may effectively evaluate the request. Individuals are not required to use the term "reasonable modification" when requesting modifications or accommodations.

All requests for modifications (reasonable or otherwise) will be reviewed and evaluated by the Bis-Man Transit administrative staff.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

All reasonable modification requests will be acknowledged within three (3) business days of receipt. The resolution and response to the requestor will be made timely, within fifteen (15) business days and the response must explain the reasons for the resolution. The response must be documented in the Reasonable Modification/Accommodation log.

Any requests requiring more than fifteen (15) business days to resolve must be reviewed at the Board of Directors level and documented as to why the resolution requires additional time to be completed.

Bis-Man Transit is committed to providing you with safe and reliable transportation services and we want your feedback. Please use this form for suggestions, compliments, and complaints. You may also call us at 701.258.6817, visit the Bis-Man Transit facility at 3750 East Rosser Avenue, Bismarck, ND 58501, or contact us by email or U.S. postal mail at the addresses below. Please make sure to provide us with your contact information in order to receive a response.

Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817, info@bisantransit.com.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com

REASONABLE MODIFICATIONS REQUEST FORM

Please complete this form to request a reasonable modification of Bis-Man Transit bus services. Submit the completed form to Bis-Man Transit via FAX at 701.258.6752, via mail at 3750 East Rosser Ave, Bismarck, ND 58501 or via email at info@bismantransit.com.

Date: _____ Name: _____

Phone Number: _____ Email: _____

Address: _____

Description of Request: _____

Location & Routes Used: _____

Are you able to ride without this modification?: _____

Comments or assistance with a reasonable modification request can be sent to info@bismantransit.com or call 701.258.6817.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



ADA COMPLAINT POLICY & PROCEDURE

The following procedures apply to Bis-Man Transit.

Right to File a Complaint Under Americans with Disabilities Act of 1990 (ADA)

Any person who has a complaint about the accessibility of our transit system or believes discrimination has occurred on the basis of disability by Bis-Man Transit may file a written complaint detailing the accessibility issue or incident. All alleged discrimination complaints must be received within 180 days of the incident in question. Beyond that time period, complaints will be classified as comments.

Please provide all facts and circumstances surrounding the issue or accessibility complaint so the issue may be fully investigated.

How to File a Complaint

Any person who believes himself/herself or any specific class of individuals to be harmed by failure to comply with ADA regulations may, personally or through a representative, file a written complaint with the Marketing & Mobility Specialist.

It is best to file the complaint as soon as possible after the alleged discrimination, and keep a copy of it. Include as many details as possible (who, what, when, where, and so on).

Bis-Man Transit has the following options for filing the complaint:

Email: Send an email to the Marketing & Mobility Specialist, info@bismantransit.com.

Call: Phone the Marketing & Mobility Specialist at 701.258.6817.

Mail: Print the ADA Comment Form, complete and mail to: Bis-Man Transit, Attention Marketing & Mobility Specialist, 3750 East Rosser Ave, Bismarck, ND 58501.

In Person: An ADA Comment Form can be located at 3750 East Rosser Ave, Bismarck, ND 58501.

Alternatively, you may download a copy of the form at www.bismantransit.com.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com

Complainant does not have to file with Bis-Man Transit first in order to file with the Federal Transit Administration.

For written complaints, please include the following:

- Your name, address and contact information (telephone number, email address)
- For accessibility complaints: time, date, and location of the occurrence and reason you believe the agency, location, or service is not accessible to persons with disabilities
- For complaints related to alleged discrimination based on disability: time, date, location, and a description of the incident, names and/or descriptions of individuals involved, and why you believe the act was discriminatory.
- In both situations, please include the vehicle number and/or route if applicable.
- Please also provide any other documentation that is relevant to the complaint.

For complaints alleging discrimination based on disability, an investigation will be initiated within 10 days of receiving the complaint. Bis-Man Transit will make every effort to respond to ADA complaints within 30 working days of receipt.

If complainants disagree with the determination, they can appeal the decision in writing within thirty (30) days from the date of the determination. The appeal letter should state the reason(s) the complainant believes the decision was in error. The appeal letter should be mailed to Board of Directors, 3750 East Rosser Ave, Bismarck, ND 58501.

File an ADA complaint in Washington D.C.

You can file a complaint with the Federal Transit Administration (FTA) Office of Civil Rights in Washington D.C., by:

Going to the FTA ADA website to file a complaint with the FTA.

Sending a complaint letter to:

FTA Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Complaint Assistance

If you are unable to complete a written complaint, please contact Bis-Man Transit at 701.258.6817 during regular business hours for assistance.



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SECTION I: TYPE OF COMMENT (Choose One)

Compliment__	Suggestion__	Complaint__	Other:_____	ADA Related? Y / N
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SECTION II: CONTACT INFORMATION

Salutation [Mr./Mrs./Ms., etc.]:

Name:

Rider ID (if applicable):

Street Address:

City, State, Zip code:

Phone:

Email:

Accessible Format
Requirements:

Large Print__

TDD/Relay__

Audio Recording__

Other_____

SECTION III: COMMENT DETAILS

Transit Service (Choose One) [as applicable] [Bus/Subway/Paratransit]

Date of Occurrence:

Time of Occurrence:

Name/ID of Employee(s) or Others Involved:

Vehicle ID/Route Name or Number:

Direction of Travel:

Location of Incident:

Mobility Aid Used (if any):

If above information is unknown, please provide other descriptive information to help identify the employee:

Description of Incident or Message:

SECTION IV: FOLLOW-UP

May we contact you if we need more details or information?

Yes

No

What is the best way to reach you? (Choose One)

Phone

Email

Mail

If a phone call is preferred, what is the best day and time to reach you?

SECTION V: DESIRED RESPONSE (Choose One)

- Email response
- Telephone response
- Response by U.S. Postal Mail

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Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

June 24, 2021

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: COVID-19 Safety Protocols

BACKGROUND: Bis-Man Transit is currently operating with all safety protocols that were put in place in response to the COVID-19 pandemic.

DISCUSSION: These protocols are as follows.

- Limiting passenger capacity on fixed route and paratransit.
- Building access limited. Front door remains locked.
- Staff and guests are temperature screened prior to entry.
- Paratransit and demand response riders are restricted to scheduling one day in advance.

Per the presidential executive order 13998 issued January 21, 2021, all staff, riders, and guests are required to wear face masks within the transit facility as well as on all buses. This order remains in effect until September 13, 2021. Vaccinated individuals are required to utilize face masks onboard and in all transit facilities.

RECOMENDATION: Due to the mask requirement, staff recommends removing the above-mentioned restrictions. All vehicles will continue to be fogged/deep cleaned nightly. If approved, a press release will be relayed to all media outlets to inform the public of the change.



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Role of the Bis-Man Transit Board

The City of Bismarck is the Federal Transit Administration (FTA) grantee, however the City contracts with the Bis-Man Transit Board to provide management and operations services for the public transportation system in the Bismarck-Mandan area. The Bis-Man Transit Board is comprised of members as set forth in the document from the Bis-Man Transit service area and has employees responsible for administrative duties. All services related to the operations of the Bismarck-Mandan public transportation system are contracted. This includes operators, customer service, maintenance staff, dispatch, and a dedicated operations management team.

This document complements our responsibilities to the FTA.

Framework

The Board of Directors establishes the framework for the organization.

- Creates and updates the mission and vision statements.
- Defines what benefits (or end results) the organization is providing to whom and what it will cost to deliver them.
- Determines how organizational performance will be measured.

Direction

The Board of Directors sets the direction for the organization.

- Sets goals and objectives.
- Approves and monitors the strategic or business plan.
- Develops organizational policies, including the policies that govern how the board will operate.

Accountability

The Board of Directors is responsible for the behavior and performance of board members and the executive director.

- Establishes the code of ethics for the board and ED, including policies related to private inurement and conflict of interest, and sets the tone for organizational behavior.
- Hires the Executive Director and holds Executive Director accountable.
- Establishes the end results the Executive Director is assigned to achieve and defines any limitations on the means the ED can use or any functions the ED must perform.



- Monitors financial and operational performance. Evaluates the executive director based on achievement of the end results and compliance with predefined limitations or requirements.
- Serves as the last court of appeal within the organization.
- The Executive Director is tasked with finding auditors, the financial committee would then narrow the search down to 2-3 and present it to the Board for its recommendation.

Good Will and Support

The Board of Directors represents the organization to the outside world and provides support and counsel to the executive director

- Supports the organization by garnering resources and advisors.
- Serves as the organization's ambassador to other agencies.
- Communicates the value of the organization to community.

BOARD, EXECUTIVE DIRECTOR, AND MANAGEMENT

BOARD OPERATIONS

Activity	Responsibility
Develop, approve and modify bylaws	Board
Establish written policies and procedures for board operations not addressed in the bylaws	Board
Appoint committees and hold them accountable	Board
Establish and enforce expectations for attendance at board/committee meetings	Board
Recruit new board members	Board
Train board members	Board
Plan agenda for board meetings	Board & ED
Take minutes at board meetings	Board
Plan and propose committee structure	Board
Prepare exhibits, materials, and proposals for the board and committees	Board & ED
Sign or delegate the signature of legal documents	Board & ED
Follow-up to insure implementation of board and committee decisions	Board & ED
Settle discord between committees	Board



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PLANNING

Establish mission	Board & ED
Articulate a vision for achieving the mission	Board & ED
Approve long range goals	Board & ED
Provide input to long range goals	Board & ED
Formulate annual objectives	Board & ED
Direct the operational planning process	Board & ED
Approve the ED's annual objectives	Board
Prepare performance reports on achievement of goals and objectives	Board & ED
Monitor achievement of goals and objectives	Board & ED
Establish strategic direction	Board & ED

PROGRAMMING

Assess stakeholder/client needs	ED
Oversee evaluation of products, services and programs	ED
Develop new and revise current programs	ED
Approve new programs or major revisions to current programs	Board
Maintain program records; prepare program reports	ED
Determine if the organization is being effective in achieving its mission (Review program evaluation, client/customer surveys. Hold meetings with constituents or clients etc.)	ED & Board

FINANCIAL PLANNING, MANAGEMENT, AND OVERSIGHT

Prepare operating and capital budget and make recommendations to the Board	ED & Finance Committee
Finalize and approve budget	Board & ED
Ensure that expenditures are within budget	Board & ED
Approve expenditures outside authorized budget levels	Board
Provide for the periodic audits and financial reviews	ED
Develop financial policies and procedures, including policies related to private inurement, retention of records, conflict of interest, and whistleblower policies	Board & ED



Approve financial policies	Board
Monitor that policies are being followed	ED
Ensure that there is adequate segregation of financial duties so that no one person is involved in all aspects of financial transactions.	ED & Board
Establish committee to receive and review audit	Board
Enter into contracts or agreements, provided they do not exceed the amount set forth in the policies and procedures, and appropriate/required procurement practices are followed	ED

REVENUE/GRANTS

Develop and implement revenue plan	ED
Solicit contributions from others	ED
Represent the organization in meetings with potential funders.	ED

PERSONNEL / ie. MANAGEMENT COMPANY

Hire and discharge Executive Director.	Board
Establish executive compensation	Board
Maintain ongoing succession plan for key personnel	Board & Management
Establish performance expectations/agreement and annually evaluate the ED	Board
Direct the work of the organization and its programs	ED
Hire, supervise, evaluate and discharge staff other than ED and contracted employees	ED
Recruit, train, and evaluate volunteers	Management
Handle whistleblower complaints against the ED by a staff member	Board

MARKETING/COMMUNITY RELATIONS:

Interpret ORGANIZATION to local communities	ED
Solicit information from funders, supporters, customers, clients, partners etc. about the organization's performance	ED
Develop marketing plan, materials, and awareness campaigns	ED & Management



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Bismarck Mandan Transit

Board Member Commitment Form

Board duties

I will:

- Attend to the greatest extent possible, and notify when unable to attend Board meetings by phone or in person.
- Review the agenda and supporting materials prior to Board and committee meetings.
- Serve on committees and take on special assignments as needed.
- Remain informed about Bis-Man Transit mission, services, and policies and promote Bismarck Mandan Transit, as agreed annually by the Board.
- Provide support and advice to the staff but avoid interfering in management activities.
- Suggest nominees and participate in board recruitment.
- Support the organization by representing the organization in the community and with funders.

Board member code of conduct

As a board member I understand that I have duties of care, loyalty, and obedience to the organization.

- The duty of care is the duty to pay attention to the organization—to monitor its activities, see that its mission is being accomplished, and guard its financial resources.
- The duty of loyalty is the duty to avoid conflicts of interest, and
- The duty of obedience is to carry out the purposes of the organization and to comply with the law.

As a board member I agree to:

- Act with honesty and integrity
- Support in a positive manner all actions taken by the board of directors even when I am in a minority position on such actions. I recognize that decisions of the board can be made only by a majority vote at a board meeting and respect the majority decisions of the board, while retaining the right to seek changes through ethical and constructive channels;
- Participate in (1) the annual strategic planning retreat, (2) board self-evaluation programs, and (3) board development workshops, seminars, and other educational events that enhance my skills as a board member.
- Keep confidential information confidential.
- Exercise my authority as a board member only when acting in a meeting with the full board or when appointed by the board.



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- Work with and respect the opinions of my peers who serve this board, and leave my personal prejudices out of all board discussions.
- Always act for the good of the organization and represent the interests of all people served by the organization.
- Represent this organization in a positive and supportive manner at all times.
- Observe the parliamentary procedures and display courteous conduct in all board and committee meetings.
- Refrain from intruding on administrative issues that are the responsibility of management, except to monitor the results of the organization.
- Accept my responsibility for providing oversight of the financial condition of the organization.
- Avoid acting in a way that represents a conflict of interest between my position as a board member and my personal or professional life, even if those actions appear to provide a benefit for the organization. This includes using my position for the advantage of my friends and business associates. If such a conflict does arise, I will declare that conflict before the board and refrain from voting on matters in which I have conflict.
- Abide by these board operating procedures.

Signature

Date



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