

**600 PUBLIC INVOLVEMENT**

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<b>HIGHWAY DESIGN</b>	<i>Chapter</i>  PUBLIC INVOLVEMENT
	<i>Subject</i>  General Philosophy

**HD-601.1 OVERVIEW**

Public involvement is essential to the development of a project. This section provides guidance and procedures on public involvement during the development of a highway project.

**HD-601.2 GENERAL PHILOSOPHY**

Public involvement is more than just a hearing or one meeting near the end of the project development process. Public involvement should begin early and be continuous. It is essential to understand the community's values in order to avoid, minimize, and mitigate impacts as well as to narrow the range of alternatives. Community awareness of the tradeoffs and constraints involved in the process should encourage public acceptance of the project. If involved early, the public can provide significant direct or indirect insight into the project's goals, needs, and effects on their community.

Public outreach for highway projects is dependent on project location, type of project, and magnitude. In project areas where demographics indicate a population of non-English speaking individuals, public involvement will include a mechanism to access project information. Efforts shall be made to identify and accommodate any ADA or other special need participants.

The public's viewpoints and opinions are important considerations in the transportation decision-making process. The public includes:

- Users of the facility
- Those affected by the project
- Elected officials
- Others interested in the outcome of the project

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The seven basic steps for effective public involvement in any decision or activity are:

1. Create a plan for public involvement activities. Costs for public involvement should be accounted for in the project budget. When public involvement is significant, a separate budget should be created.
2. Identify the interested and affected public.
3. Provide information and outreach to the public.
4. Provide assistance to the public to facilitate involvement. This can include, but is not limited to, interpreters and transportation needs.
5. Conduct public involvement activities. If significant time lapses between the public involvement meetings and the letting of the project, consider updating the public through media, newsletters, websites, or other means as appropriate.
6. Review and consider input and provide feedback to the public.
7. Evaluate public involvement activities.

### **HD-601.3 PUBLIC INVOLVEMENT PLAN**

The project development team (PDT) should consider creating a public involvement plan (PIP) for every project advanced through project development. A PIP is required on EIS level projects. The plan should be based on the needs of each project. The plan may range from individual property owner contacts for small projects to a series of public involvement meetings or public hearings for more complex projects. Some public involvement plans may include formation of a citizens' advisory committee to involve a large number of property owners or special interest groups when significant environmental issues or concerns must be addressed. The key is to create a plan that allows the Cabinet to communicate with the public in order to make the best transportation decision.

The PDT should establish an outline of the public involvement plan early in the project development phase. The plan must include any federally required public hearings and may be supplemented by additional public involvement meetings that will contribute to better decisions on the location or detail of a project. This plan may be adjusted as the project advances and should be reviewed by the PDT at critical stages in project development. The plan should also consider other means of communication to obtain public input such as telephone surveys, newsletters, social media, web sites, and focus groups.

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The following template suggests a framework for creating a public involvement plan:

1. Purpose of the plan
  - a. What transportation decisions are to be made?
  - b. What is the desired level of involvement/influence?
2. Status of the project development process
3. History of public involvement related to this project
4. Description of the affected communities/public
  - a. Community profile (social, economic, and political structures)
  - b. Key community issues and interests
  - c. Assessment of community awareness/knowledge about this project
  - d. Identification of special sensitivities and/or requirements related to public involvement methods and activities
5. Description of overall approach for public involvement
  - a. Outreach
  - b. Education
  - c. Gathering of input
  - d. Opportunities for direct involvement
  - e. Pathways for incorporating input into decision-making
  - f. Feedback to public about decision-making
  - g. Plan for monitoring, evaluating, and readjusting the PIP
6. Specific action steps, techniques, and timing (who will do what, within what timeline, and with what resources)



<h1>HIGHWAY DESIGN</h1>	<i>Chapter</i> PUBLIC INVOLVEMENT
	<i>Subject</i> Types of Public Involvement

**HD-602.1 OVERVIEW**

Historically, public hearings and meetings have been the primary tool used to gather input from, provide information to, and establish communication with the public. However, the project development team (PDT) should not be limited to traditional public involvement activities. **HD-605** outlines other methods that should be utilized when feasible and beneficial. The following information provides guidance to the PDT on conducting public hearings and meetings.

A clear objective must be established for public hearings and meetings. A strategy should be established and format selected that provides for effective communication among all participants. The PDT is encouraged to use creativity in determining the most effective way to conduct a public hearing or meeting to address project-specific needs. The district public information officer (PIO) can assist the PDT in determining and implementing the most effective public involvement strategy.

With chief district engineer approval, the Project Development Branch Manager (PDM) will be directly responsible for initiating all public meetings, public hearings, or other public involvement early in the design process. The PDM will determine the level of public involvement for state-aid projects. The PDM has the responsibility and authority to schedule and hold public meetings and public hearings or offer the opportunity to request a public hearing. The public involvement coordinator in the Division of Highway Design may provide assistance to the PDT. The public involvement coordinator shall be notified when public meetings or hearings are scheduled, and shall be given the opportunity to review the legal notice or advertisement.

A primary objective of early public meetings is to identify issues and concerns as the project advances. A primary objective of public hearings or meetings during later stages is to provide details for public review and comment and to discuss the resolution of the issues and concerns that were developed in the earlier meetings, particularly when involved with environmental commitments.

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**HD-602.2 HEARINGS AND MEETINGS**

The public hearing and public meeting processes are discussed separately in **HD-603** and **HD-604**.

**HD-602.2.1 Public Hearings versus Public Meetings**

Formal and informal meetings are the backbone of a public participation program. People expect and need opportunities to discuss agency programs and plans.

Public hearings are required when the environmental document for the project is an Environmental Assessment/Finding of No Significant Impact (EA/FONSI) or an Environmental Impact Statement (EIS). Projects approved as a categorical exclusion (CE) may utilize a public meeting. When no major relocations are involved and little controversy appears likely, a project approved as a CE may not require any direct public involvement. Public hearings are more regulatory in nature than public meetings. Public meetings may be conducted the same way as public hearings, but this is not a requirement.

**HD-602.2.2 Coordination**

The PDM will notify the public involvement coordinator on a timely basis of all authorizations to advertise for “Opportunity to Request a Public Hearing,” “Public Hearings,” and “Public Information Meetings” and the proceedings that follow.

The public involvement coordinator shall be responsible for, but not limited to, the following:

- Monitoring state and federal regulations concerning public involvement for state and federally funded highway projects
- Advising, when appropriate or upon request, the highway district offices (chief district engineers or assigned representatives) of the procedures for developing and conducting public hearings and public meetings
- Assisting the district offices, upon request, in the preparation of hearings and meetings and with technical assistance, such as the need for an interpreter
- Posting hearing and meeting information onto the Cabinet’s web site and into the preconstruction database
- Examining all hearing and meeting announcements and records and informing the district office of any needed corrections
- Transmitting approved hearing and meeting records to appropriate personnel
- Keeping files on public hearings and meetings





<b>HIGHWAY DESIGN</b>	<i>Chapter</i>  PUBLIC INVOLVEMENT
	<i>Subject</i>  Public Hearings

**HD-603.1 OVERVIEW**

In compliance with 23 Code of Federal Regulations (CFR) 771.111 (h)(2)(iii), the Cabinet will provide the opportunity to request a public hearing or will hold a corridor and/or design public hearing for any major federal-aid project. The code specifies that the Transportation Cabinet is to submit a copy of the hearing along with the certification and report transcript to FHWA.

Before scheduling a public hearing, the Project Development Branch Manager (PDM) may elect to offer an “Opportunity to Request a Public Hearing.” Offering the opportunity for a public hearing may be appropriate if a public meeting was recently held and additional information would not be gained.

A public hearing or the opportunity to request a public hearing shall be required on any federal-aid project that:

- May require significant amounts of right of way
- May substantially change the layout or functions of connecting roadways or of the subject facility
- May have a substantial adverse impact on abutting property
- May have a significant social, economic, environmental, or other effect
- The FHWA has determined that a public hearing is in the public interest

Procedures for holding a public hearing or offering the opportunity to request a public hearing on state-aid projects are in accordance with Kentucky Revised Statute (KRS) 13B and KRS 174.100. On federal-aid projects, procedures must be consistent with public involvement/public hearing program requirements pursuant to 23 United States Code 128 and 40 CFR 1500-1508 and in accordance with 23 CFR Part 771.

**HD-603.2 DOCUMENTATION FOR OPPORTUNITY TO REQUEST A PUBLIC HEARING**

Opportunities to request a public hearing shall be documented by memo and submitted to the public involvement coordinator in the Division of Highway Design. The memo shall contain the project information (e.g., county, route, item number, project description), the date the legal notice was published, and the deadline given. It shall also contain the number of requests received. The public involvement coordinator shall forward this memo to the appropriate personnel and FHWA as certification that an opportunity to request a public hearing was given.

**HD-603.3 PUBLIC HEARING FORMAT**

When the chief district engineer and/or the PDM is required to conduct a public hearing they will choose between the following public hearing formats:

- **Formal**—A formal hearing has an established starting time and oral presentations. The entire hearing, presentations, and any comments need to be recorded, transcribed, and made a part of the hearing record. A court reporter may be used if desired.

Formal public hearings with a specific agenda and speakers will require special accommodations (seating, sound system, etc.) which must be considered on a project-by-project basis.

- **Informal (Open)**—An informal hearing has a range of hours for public visitation at the public's convenience. Representatives of the department are available to answer questions and explain any of the information provided. Any oral comments received at the hearing must be recorded, transcribed, and made a part of the hearing record. A court reporter may be used if desired. If requested, the attendees shall be given an opportunity to comment publicly to other attendees.

**HD-603.4 PREPARATION FOR PUBLIC HEARINGS**

A public hearing should be held no later than 60 days after the district is advised of the approval of the environmental assessment. This date should not conflict with holidays, local activities, or other scheduled programs.

The PDM shall be responsible for, but not limited to, the following:

- Arranging for the building and other facilities to accommodate the physically impaired and as many persons may be reasonably expected to attend. The selected site should be readily accessible for those attending and located near

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the center of the area affected by the proposed project. Signs should be placed at strategic locations such as parking lots and entrances to give guidance to attendees on the location of the hearing or meeting

- The Americans with Disabilities Act requires making an effort to select a facility that provides reasonable access for those physically impaired. If there are no facilities adequate to meet this requirement within a reasonable proximity of the project, the reason for selecting a noncompliant site must be documented and a copy provided to the public involvement coordinator.
- Recommending the format (formal or informal) to conduct the public hearing
- Preparing the announcements for the hearing
- Ensuring the preparation of exhibits, plans, photos, etc. that clearly and concisely explain the proposed project
- Providing project information and an identification of major concerns through presentations, handout material, displays, and/or discussions with the public

Handouts typically include:

- ◆ Purpose and need statement
- ◆ Highway Plan scope, schedule and budget
- ◆ District contact information
- ◆ Location map
- ◆ Any other pertinent project information

Handouts provided at the public hearing may be made available for review and copying. The public may view the displays not included in the handouts at the district office.

- Confirming that any displays or illustrations, including those shown in the handouts, used at the public hearing are labeled "Preliminary: Subject to Change" or equivalent.
- Adding the following statement to the handout:

"All exhibits, displays, and materials presented at this hearing are available to the public upon their request from the district office. A nominal charge may be made for the reproduction of these displays."
- Providing the public an opportunity and a mechanism to comment on the proposed project through comment sheets, questionnaires, stenographers,

and/or discussions between department personnel and the public. If requested, an opportunity to comment publically should be accommodated.

To track public comments and afford accountability, the comment sheets and information packet should be sequentially numbered to coincide with the sign-in sheet. Those in attendance should be encouraged to use the comment sheet provided to them. The use of colored paper may assist in the integrity/tracking of the comment sheets.

The following statement should be written on the comment sheets:

“Under KRS 516.030, falsely completing, making, or altering this document with the intent to defraud, deceive, or injure another is forgery in the second degree, a Class D felony.”

- Preparing the agenda for formal meeting formats. The agenda should include discussing subjects in proper order.

#### **HD-603.5 ANNOUNCEMENT FOR PUBLIC HEARINGS**

The public involvement process goal is to ensure that interested citizens, stakeholders, and public officials have the opportunity to participate. In order to ensure participation, the Cabinet should announce public hearings. Historically, a legal notice in the newspaper has been the most prominent method of communication. With the advent of new technology, the project development team (PDT) is encouraged to consider using other media in addition to newspapers to announce and advertise public hearings. Examples of other media include variable message signs, web sites, flyers, property owner invitations, social media, and public service announcements.

After review by the public involvement coordinator, it may be appropriate to mail a copy of the legal notice to the following people:

- All affected or nearby property owners or occupants
- Other federal, state, or local government offices
- Public officials
- Civic groups

#### **HD-603.6 LEGAL NOTICE FOR PUBLIC HEARINGS**

The public involvement coordinator in the Division of Highway Design shall be provided a copy of all public hearing notices at least seven working days in advance of submittal for publication and will provide assistance and request

changes as required before the notice is submitted to the newspaper or any other contact.

All newspaper notices required for a public hearing or opportunity to request a public hearing shall be published at least twice in the legal section of a newspaper with general circulation in the immediate area of the proposed project. The chief district engineer and regulatory or management personnel may request the notice be placed in a newspaper with statewide circulation.

The first newspaper notice for a public hearing or an opportunity to request a public hearing shall be advertised no less than 30 days prior to the established deadline or date. The second newspaper notice shall be advertised no less than 7 days prior to the established deadline or date.

All legal notices placed in a newspaper for a public hearing shall be of a consistent format (**Exhibit HD-600-01**) and shall include:

- County name, route number, road name, and item number (to be placed at the top of the notice directly under the heading)
- Date, time, and location of the public hearing
- Project description
- Specific information to be available for review at the hearing (to include the environmental document)
- A statement announcing the availability of the environmental document and where to obtain or review it (usually at the local highway district office or Central Office when appropriate)
- A contact name, telephone number, address, and email address of someone responsible for project information
- A location map (optional)
- The following statement:

“Once compiled, the hearing record will be made available for review and copying only after an Open Records Request has been received and approved. All Open Records Requests must be submitted to the Office of Legal Services, Transportation Cabinet Office Building, 200 Mero Street, Frankfort, Kentucky 40622.”

- The following statement:

“In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and will require assistance, please notify (contact name) of the necessary requirements no later than (deadline date). This request does not have to be in writing. Please call (phone #) or mail request to (address).”

The deadline date for ADA requests should allow time to arrange any necessary accommodations and should not be on a weekend or holiday.

In addition to the legal notice, it may be beneficial to utilize advertising space elsewhere in the newspaper to announce a public hearing. (**Exhibit HD-600-02.**)

All legal notices placed in a newspaper for an opportunity to request a public hearing shall be of a consistent format (**Exhibit HD-600-03**) and shall include:

- County name, route number, road name, and item number (to be placed at the top of the notice directly under the heading)
- Project description
- A statement announcing the availability of the environmental document and where to obtain or review it (usually at the local highway district office or Central Office when appropriate)
- A contact name, telephone number, address, and email address of someone responsible for project information
- A deadline to make the request for a hearing to be held. This date must be at least 30 days from the date of the first newspaper notice.

#### **HD-603.7 CONDUCTING A FORMAL PUBLIC HEARING**

The chief district engineer or an appointed representative shall preside over the hearing and select a panel of speakers to give specific presentations. The hearing moderator shall open the hearing in an atmosphere that shows attendees the department is earnestly seeking the opinion and suggestion of any individual concerning the project. It should be stated that the presented proposal is not final and the Transportation Cabinet considers all statements made at the hearing. If the proposal is a federal-aid project, the hearing moderator shall state that FHWA will also consider statements before making final decisions.

The reason for the hearing shall be stated in terms all can understand, as well as the discussion of federal aid as applied to federal-aid highway construction. Brochures, pamphlets, statements, or other means should be used to communicate project objectives.

Alternate studies including engineering and social, economic, and environmental impacts should be discussed. If available, design features (such as roadway width, number of lanes, type of surface, right of way taken, and type of access control) shall be presented so all present will understand. Use of electronic presentations, exhibits, plans, or a combination of these methods is helpful.

A question-and-answer period should be provided for the public in advance of any statements made for the record, enabling those wishing to speak to make more informed statements. A right-of-way representative explaining right-of-way acquisition and relocation assistance should be available at all hearings.

The Department of Highways representative conducting the hearing will officially close the hearing, stating:

- All present had the opportunity to comment.
- The Department of Highways district office will accept written statements for 15 days after the close of the hearing.
- The department will accept open records requests for the hearing record through the Office of Legal Services. The hearing record will include oral proceedings, completed comment sheets, and other material made available in the handouts. The open records request form is available at:

<http://transportation.ky.gov/Legal-Services/Pages/Open-Records.aspx>

#### **HD-603.8 CONDUCTING AN INFORMAL (OPEN) HEARING**

The chief district engineer or a designated representative shall preside over the hearing and shall have a handout packet prepared and distributed at the hearing. The packet shall contain:

- Information about the project's purpose and need
- An explanation of right-of-way acquisition and relocation procedures
- A brief summary of the environmental impacts, if any
- Other pertinent project information
- Information describing the type of format in which the hearing will be conducted

- A brief explanation of the procedures

The chief district engineer (CDE) or designee shall give a brief explanation at the beginning of the hearing, and thereafter as necessary, to ensure that the public understands the format and proceedings. This may be accomplished by including a letter to those in attendance from the CDE in the hearing packet.

At the hearing, the chief district engineer or their designee shall provide and have on display project plans and various exhibits along with the environmental document and right-of-way acquisition material.

Cabinet representatives and the consultant engineer (if applicable) will be present to answer the public's questions and explain the project and the provided information. A right-of-way representative explaining right-of-way acquisition and relocation assistance should be available at all hearings.

All public statements must be recorded (by court reporter, stenographer, or tape recorder), transcribed, and made a part of the official hearing record. The hearing notice or handout packet shall explain how to give oral and written comments at the hearing and how to submit a written statement to the highway district office within 15 calendar days after the hearing.

#### **HD-603.9      OPTIONAL FORMAT HEARING**

Another option that has proven to be effective is to use a combination of the two hearing formats. It may be advantageous to have a formal presentation at the beginning of the hearing and then provide an informal format for the public to examine the exhibits and ask specific questions. To accommodate differing arrival times of the public, it may be best to repeat the presentation during the hearing.

#### **HD-603.10     DOCUMENTATION FOR A PUBLIC HEARING**

Public hearings shall be documented by producing a hearing record. Any public hearing record is considered an open records document and therefore must contain the material provided for public review and comment and any responses received to that material. Public responses may include written statements or petitions offered during the public hearing or within the identified comment period following the hearing. Public responses may also include oral statements offered during the public hearing through a court reporter or recording device made available for that purpose.



The hearing record should be on 8 ½ x 11-inch paper, bound, and compiled in the following order:

1. Cover sheet (to be captioned as the Corridor or Design Public Hearing; county; item number; road name; and date, time, and place of hearing)
2. Table of contents
3. Notification to manager of advertising section of newspaper
4. Legal notice
5. Tear sheet from newspaper
6. Sketch map showing the project on which the hearing was held (This may be on an NGS (USGS or USC & GS) map with the line sketched thereon.)
7. Copy of handout
8. Sign-in sheets, including Cabinet personnel, consultants, FHWA, and all persons attending
9. Transcript of the entire proceedings of a formal hearing or of oral statements received for an informal hearing (The record will include all statements made properly identified as to the persons making them. The record should show throughout that all pertinent subjects were open to discussion and that everyone was given an opportunity to speak.)
10. Certification that the transcript is a true, complete, and accurate record of the hearing and/or oral statements received
11. Written statements, endorsements, etc. (Copies should be obtained and made a part of the hearing record.)
12. Copies of replies to statements made
13. Copies of the statements and exhibits used or filed concerning the public hearing

After the hearing record has been prepared, the original will remain in the district office with four copies furnished to the public involvement coordinator in the Division of Highway Design, within 45 days after the public hearing. The public can obtain copies of the hearing record once it is filed with the Division of Highway Design. Anyone desiring a copy of the record must submit a written open records request to the Executive Director of the Office of Legal Services. The form is available at:

<http://transportation.ky.gov/Legal-Services/Pages/Open-Records.aspx>

The public involvement coordinator will distribute copies of the hearing record and summary/recommendation to the proper agencies as follows:

- Federal Highway Administration (both)
- Division of Environmental Analysis (both)
- Division of Planning (summary/recommendation only)
- Division of Right of Way and Utilities (summary/recommendation only)

The public involvement coordinator shall keep a copy of the hearing record on file and, upon request, supply a copy or allow persons interested to make copies. When it is determined that a potential controversy may exist, the Division of Highway Design will forward the information to the State Highway Engineer's Office for comment and/or approval.



<b>HIGHWAY DESIGN</b>	<i>Chapter</i>  PUBLIC INVOLVEMENT
	<i>Subject</i>  Public Meetings

**HD-604.1 OVERVIEW**

A primary objective of public meetings is to identify issues and concerns that develop as a project advances. Public meetings can be conducted using a number of different methods. Whether the format is informal or formal, the meeting should be tailored to specific objectives and adequately accommodate the number of anticipated participants.

For small projects with few stakeholders, public involvement can occur through individual contacts or small, informal group discussions. For larger projects or those with several stakeholders, it may be necessary to hold a more formal meeting.

**HD-604.2 TYPES OF PUBLIC MEETINGS**

There are a number of different approaches that can be used for gathering and distributing information. These may include, but are not limited to:

- Citizens’ advisory committees
- Stakeholder groups
- Public information meetings
- Property owner meetings

More complex projects may warrant other public meetings, including resource agency and consulting party meetings. There may be opportunities to make presentations to selected local public officials, neighborhood groups or associations, civic associations, business associations, and private individuals.

**HD-604.2.1 Citizens’ Advisory Committee**

For some projects, it may be beneficial to form a citizens’ advisory committee of local citizens and officials with a significant interest in the project. This group of volunteers meets periodically to exchange ideas and viewpoints on issues involving the project. The committee can serve as a forum for hearing and recording points of view. A representative from KYTC should participate on the

committee as an agency member who provides information, support, and opinion.

**HD-604.2.2 Stakeholder Groups**

A stakeholder group is a specific group that has a unique interest in some aspect of the project (e.g., landscaping, pedestrian movements, and traffic management). Stakeholder groups are targeted audiences that meet periodically for comment and distribution of information. If more direct involvement with the project development team (PDT) is needed, a subset of the stakeholder group (a focus group) may be utilized.

**HD-604.2.3 Public Information Meetings**

The purpose of these meetings is to inform the public of a proposed project in their area and to receive their comments. These meetings can be held at different stages of project development. The number of meetings will vary based upon the informational needs of the affected community.

**HD-604.2.4 Property Owner Meetings**

It may be beneficial to conduct a property owner meeting in order to obtain the most accurate property ownership information and address property owner concerns. An objective of these meetings should be to ensure that property owners' perspectives are understood. Meeting in the project area with potentially impacted property owners gives the PDT the opportunity to explain the purpose and need, as well as describe the study alignments. The meeting provides for an open exchange of information to solicit property owners' comments and answer their questions.

**HD-604.3 PREPARATION FOR PUBLIC MEETINGS**

The scheduled date for a public meeting should not conflict with holidays, local activities, or other scheduled programs.

The project development branch manager (PDM) shall be responsible for, but not limited to, the following:

- Arranging for the building and other facilities to accommodate the physically impaired and as many persons may be reasonably expected to attend. The selected site should be readily accessible for those attending and located near the center of the area affected by the proposed project. Signs should be placed at strategic locations such as parking lots and entrances to give guidance to attendees on the location of the hearing or meeting

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- The Americans with Disabilities Act requires making an effort to select a facility that provides reasonable access for those physically impaired. If there are no facilities adequate to meet this requirement within a reasonable proximity of the project, the reason for selecting a noncompliant site must be documented and a copy provided to the public involvement coordinator.
  - Recommending the format (formal or informal) to conduct the public meeting
  - Preparing announcements for the meeting
  - Ensuring the preparation of exhibits, plans, photos, etc., that clearly and concisely explain the proposed project
  - Providing project information and an identification of major concerns through presentations, handout material, displays, and/or discussions with the public

Handouts typically include:

- ◆ Purpose and need statement
- ◆ Highway Plan scope, schedule and budget
- ◆ District contact information
- ◆ Location map
- ◆ Any other pertinent project information

Handouts provided at the public meeting may be made available for review and copying. The public may view the displays not included in the handouts at the district office.

- Confirming that any displays or illustrations, including those shown in the handouts, used at the public hearing are labeled "Preliminary: Subject to Change" or equivalent.
- Adding the following statement to the handout:

"All exhibits, displays, and materials presented at this meeting are available to the public upon their request from the district office. A nominal charge may be made for the reproduction of these displays."
- Providing the public an opportunity and a mechanism to comment on the proposed project through comment sheets, questionnaires, stenographers, and/or discussions between department personnel and the public
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and/or discussions between department personnel and the public. If requested, an opportunity to comment publically should be accommodated.

To track public comments and afford accountability, the comment sheets and information packet should be sequentially numbered to coincide with the sign-in sheet. Those in attendance should be encouraged to use the comment sheet provided to them. The use of colored paper may assist in the integrity/tracking of the comment sheets.

The following statement should be written on the comment sheets:

“Under KRS 516.030, falsely completing, making, or altering this document with the intent to defraud, deceive, or injure another is forgery in the second degree, a Class D felony.”

- Preparing the agenda, if selecting a formal format

#### **HD-604.4 ANNOUNCEMENTS FOR PUBLIC MEETINGS**

The public involvement process goal is to ensure that interested citizens, stakeholders, and public officials have the opportunity to participate. In order to ensure participation, the Cabinet should announce public meetings. Historically, an advertisement in the newspaper has been the most prominent method of communication. With the advent of new technology, the project development team (PDT) is encouraged to consider using other media in addition to newspapers to announce and advertise public meetings. Examples of other media include variable message signs, web sites, flyers, property owner invitations, social media, and public service announcements (**HD 600-02**).

After review by the public involvement coordinator, it may be appropriate to mail a copy of the advertisement to the following people:

- All affected or nearby property owners or occupants
- Other federal, state, or local government offices
- Public officials
- Civic groups

#### **HD-604.5 ADVERTISEMENTS FOR PUBLIC MEETINGS**

The public involvement coordinator in the Division of Highway Design shall be provided a copy of all public meeting advertisements in advance and will provide assistance request changes as required before the advertisement is submitted to the newspaper or any other contact.

All newspaper advertisements required for a public meeting shall be published at least twice in a newspaper with a general circulation in the immediate area of the proposed project. The chief district engineer or regulatory or management personnel may request that the advertisement be placed in a newspaper with statewide circulation.

The first newspaper advertisement should be published no less than 15 days prior to the established meeting date, while the second newspaper advertisement should be published no less than 7 days prior to the established meeting date.

All public meeting advertisements should include the following:

- County name, route number, road name, and item number
- Date, time, and location of the public meeting
- Project description
- Specific information that is available for review at the meeting (including the environmental document, if applicable)
- A contact name/number/address of someone responsible for project information
- A location map
- The following statement:

“Once compiled, the meeting record will be made available for review and copying only after an Open Records Request has been received and approved. All Open Records Requests must be submitted to the Kentucky Transportation Cabinet, Office of Legal Services, Transportation Cabinet Office Building, 200 Mero Street, Frankfort, Kentucky 40622.”

The request form is available at:

<http://transportation.ky.gov/Legal-Services/Pages/Open-Records.aspx>

- The following statement:

“In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and will require assistance, please notify (contact name) of the necessary requirements no later than (deadline date). This

request does not have to be in writing. Please call (phone #) or mail request to (address).”

The deadline date for ADA requests should allow time to arrange any necessary accommodations and should not be on a weekend or holiday.

#### **HD-604.6 CONDUCTING PUBLIC MEETINGS**

Public meetings may be conducted the same way as public hearings, but this is not a requirement. Please refer to Conducting Public Hearings in **HD-603**.

#### **HD-604.7 DOCUMENTATION FOR A PUBLIC MEETING**

Documentation is required for any public involvement meeting or contact that is part of our decision-making process for that project. The documentation for small projects when the basic form of public involvement is accomplished through individual contacts or small, informal group discussion, shall be through memorandum to the project files. This material may be referenced during the project development process.

In some cases, compilation of a meeting record containing more information may be desired. A public meeting record may be compiled as described under Documentation for Public Hearings in **HD-603**.

A summary of the public meeting should be compiled and include:

- County
- Item number
- Road name
- Project description
- Date, time, and place of the meeting
- Summary of attendees and comments received

The summary should be forwarded to the public involvement coordinator in the Division of Highway Design within 30 to 45 days after the date of the public meeting. Neither the summary nor the preliminary recommendation shall be made part of a meeting record, if applicable. Should a meeting record be compiled, the original will be kept at the district and four copies should be forwarded to the public involvement coordinator. The public involvement coordinator shall undertake a quality assurance review of the material and then forward it to the appropriate office for final use on the project. If a potential controversy exists, the Division of Highway Design will forward the information to the State Highway Engineer’s Office for comment and approval.



The public involvement coordinator will distribute copies of the meeting record to the proper agencies as follows:

- Federal Highway Administration (both)
- Division of Environmental Analysis (both)
- Division of Planning (summary/recommendation only)
- Division of Right of Way and Utilities (summary/recommendation only)

The public involvement coordinator shall keep the copy of the summary/recommendation and/or meeting record on file and, upon request, supply a copy or allow those interested to make copies.



<h1>HIGHWAY DESIGN</h1>	<i>Chapter</i> PUBLIC INVOLVEMENT
	<i>Subject</i> Other Types of Public Involvement

**HD-605.1 NEWSLETTERS**

A newsletter may be helpful to keep agencies, individuals, groups, institutions, advocacy groups, and others abreast of project progress and current issues. Newsletters should include all necessary information, but be as brief as possible. A monthly or quarterly publishing schedule is reasonable for a large-scale controversial project. A mailing list of stakeholders should be made for this purpose.

**HD-605.2 MEDIA**

The public information officer is responsible for all releases to the media (such as newspapers, radio, and television). A productive relationship with the media helps to present a clear and accurate message. News releases should be up-to-date, credible, informative, and concise.

**HD-605.3 SOCIAL MEDIA**

Social media platforms may be utilized to further engage the public during the development of the project. Public meetings may be advertised through social media. Project updates and links to additional information may be included.

**HD-605.4 WEB SITE**

The Transportation Cabinet keeps an up-to-date web site of all projects scheduled in the highway plan. The project can be located on a map that links to project information such as description, status, and contact person. Maps are available at:

<http://maps.kytc.ky.gov/photolog/?config=ActiveHighwayPlan>

The web site also has information on scheduled public meetings and hearings available at:

<http://transportation.ky.gov/Highway-Design/Pages/Scheduled-Public-Meetings.aspx>

Larger projects with more public interest could have their own web sites with information on road closures, detours, and construction hours. Comments and requests can be made through these sites via email.

#### **HD-605.5 ON-PROJECT SITE**

A project site visit allows stakeholders to see the site under the same conditions at the same time. Project concerns can be pointed out, leading to a better understanding of existing conditions. A site visit can also illustrate how certain areas will be affected, and stakeholders can see project constraints.

#### **HD-605.6 INVOLVEMENT OF COMMUNITY & CIVIC ORGANIZATIONS**

**HD-602**, “Types of Public Involvement,” explains that a citizens’ advisory committee is used to gain citizen input in a structured way. This committee is a group of volunteers who meet periodically to exchange ideas and viewpoints on issues involving the project. The committee can serve as a forum for hearing and recording points of view. A KYTC representative should participate on the committee as an agency member, providing information, support, and opinion. Making presentations at regularly scheduled meetings for local civic organizations is another method of community involvement.

There are many ways to gain public input. The project development team (PDT) should utilize the Cabinet’s toolbox of public involvement techniques available at:

<http://transportation.ky.gov/Public-Involvement-Toolbox/Pages/default.aspx>



## LEGAL NOTICE OF A PUBLIC HEARING

**Kenton County  
KY16, Taylor Mill Road  
Item No. 6-344.00**

The Kentucky Transportation Cabinet, Department of Highways, has scheduled a Public Hearing on the above referenced project to be held (*date, time and place*). This project is the (*project description*). This hearing has been scheduled to afford all interested persons an opportunity to become better informed and to express their views concerning the proposed project.

The Informal Format (*use Formal Format and description of activities if applicable*) will allow interested persons to attend anytime between the hours of 5:00 PM to 7:00 PM. A handout, containing project information, plans, exhibits and the approved environmental document for the project will be displayed at the hearing. Representatives from the Transportation Cabinet and their consultants will be available to answer questions.

The Federal Highway Administration and the Transportation Cabinet approved the project's Environmental Assessment (EA) on (*date*). Copies of the EA will be available at the hearing, as well as at the District Highway Office at the address listed below.

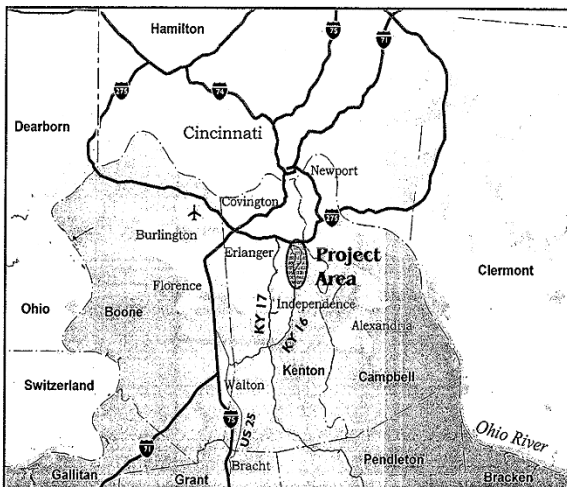
Oral and written statements will be accepted during the hearing. Written statements will be accepted, and information made available, for a period of fifteen (15 days) after the Public Hearing at the address listed below. All written and oral comments will become part of the official hearing record. Once compiled, the hearing record will be made available for review and copying only after an Open Records Request has been received and approved. All Open Records Requests must be submitted to Office of Legal Services, Transportation Cabinet Office Building, 200 Mero Street, Frankfort, Kentucky 40622.

In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and will require assistance, please notify (*name*) of the necessary requirements no later than (*deadline date*). This request does not have to be in writing. Please call (*phone #*) or mail request to the address listed below.

Please address any questions regarding this hearing, or project information, to:

(*name*)

(*address*)



(*map optional*)

**The Kentucky Transportation Cabinet  
Needs Your Input!**

*Concerning the Reconstruction and Widening of KY-536  
from the Boone County Line to KY-17 in **Kenton County**  
Item No.*

**Public Information Meeting  
Thursday, December 9  
5:00-7:00 PM**

**Kenton County Extension Office  
10990 Marshall Road  
Covington, KY**

*Informal Format (stop by anytime between 5 and 7 p.m.)  
(use formal format information if applicable)*

*This meeting is to present to the public the latest plans that have been developed for the project. Handouts, containing information about the project, comment sheets and displays will be available at the meeting. Representatives from the KY Transportation Cabinet and their consultants will be available to answer questions. Written and oral comments will be accepted during the meeting. Written comments will be accepted, and information made available, up to 15 days after the meeting at the District Six Office address listed below.*

*Written and oral comments from this meeting will become a part of the official record for the project. Once compiled, the meeting record will be made available for review and copying only after an Open Records Request has been received and approved. All Open Records Requests must be submitted to the Office of Legal Services, Transportation Cabinet Office Building, 200 Mero Street, Frankfort, Kentucky 40622.*

*In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and requires assistance, please notify **(name)**, no later than **(deadline date)**. Please call **(phone #)** or mail your request to the address listed below.*

*Please address any questions regarding this meeting or project to:*

***(name)**  
**(address)**  
**(phone #)***



**LEGAL NOTICE OF OPPORTUNITY TO REQUEST  
A PUBLIC HEARING**

**COUNTY  
ROUTE #, ROAD NAME  
ITEM NO.**

The Kentucky Transportation Cabinet offers to the public and any affected agencies an opportunity to request a Public Hearing concerning *(type of work on the route, i.e.)* construction of a new connector.

*(complete description, i.e.)* The proposed project is a new road that would link the cities of Elizabethtown and Radcliff. The project corridor is located west of US31W, and begins with a new junction (interchange or intersection) with the Elizabethtown US31W Bypass and continues north to the Joe Prather Highway (KY313), a distance of approximately 7.5 miles. The southern 1.9 miles involves the reconstruction of KY 1600, the remaining 5.6 miles traverses new alignment.

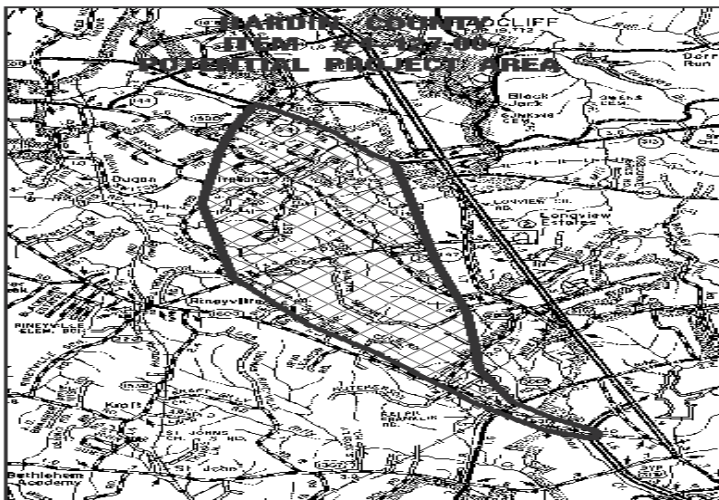
The Environmental Assessment approved by the Federal Highway Administration, maps, plans and other relevant project data are available for public inspection from 8:00 AM to 4:30 PM, Monday through Friday at the Department of Highways District Office at the address below. Information is also available by calling *(phone #)* during the work hours noted above.

A Public Hearing will not be scheduled unless a written request(s) is received on or before (date that is 30 days from publication date).

*(name)*

Kentucky Transportation Cabinet

*(address)*



*(map optional)*