



Brown County ADA  
Public Participation Plan (PPP)

## **I. COMMITMENT TO NONDISCRIMINATION**

Brown County is committed to a policy of non-discrimination in the conduct of its business, including meeting its responsibilities under Title VI of the Civil Rights Act, the Americans with Disabilities Act, and other federal and state laws, and to the delivery of equitable and accessible services. The County takes these obligations seriously, especially with regard to its public participation obligations activities.

It is the policy of Brown County to ensure full compliance with federal nondiscrimination laws in all programs and activities. Brown County will not discriminate on the basis of race, color, national origin, religion, ancestry, ethnic group identification, creed, sex (including actual or perceived sexual orientation or gender identity), disability, mental disability, physical disability, medical condition, genetic information, marital status, veteran's status, or age in any Brown County programs, services, or activities.

It is unlawful for Brown County programs, lessees, tenants, concessionaires, and contractors to discriminate against any person because of race, color, religion, ancestry, ethnic group identification, national origin, creed, disability, mental disability, physical disability, medical condition, genetic information, marital status, age, or sex (including actual or perceived sexual orientation or gender identity) in their programs and employment opportunities. Intimidation and retaliation against an individual who has exercised a right to participate or for the purpose of interfering with such rights, are prohibited. Claims of intimidation and retaliation will be handled promptly if they occur.

This public participation plan and the ten steps it outlines to organize public participation activities, have been taken into consideration and includes recommended elements from the Environmental Protection Agency's Title VI Public Involvement Guidance to ensure accessible meaningful involvement by the public. In following the EPA's Title VI Public Involvement Guidance, this plan hopes to enhance public involvement processes, recognizing that effective public involvement plans provide members of the effected communities with a sense of partnership in the decision-making process. In addition, by creating a culture of public involvement into as many stages of the planning process as appropriate, stakeholder and community concerns can be addressed as a part of the planning process and Title VI issues can be heard and addressed before complaints arise.

## **II. INTRODUCTION TO PUBLIC PARTICIPATION**

This document contains ten steps to help you develop and organize your public participation activities to be effective and meaningful in accomplishing your project goals.

- Whether planning public participation for a large or small project, it is important to address and think through each of the ten steps. Smaller projects will generally require less planning with regard to public participation, while larger projects may need a more detailed plan with multiple public participation activities.
- The purpose of this process is to help you think through the project to design your public participation activities to best meet your project goals. A well-planned approach to your public participation activities will save time in the long run.
- The most important outcome of this process is that County staff, elected officials, and the public will be clear on the appropriate level of public participation. Some projects may need little public participation. Others may need substantially more.

Brown County is committed to having public involvement become more of a “culture” of how the County thinks and operates versus having a checklist to make sure the public is involved.

Involving the public early and as often as is appropriate, is essential to effective public participation plans. This encourages information exchange and gives time for all parties to consider and better understand the others’ viewpoints before decisions are made and reduces complaints. Consider tailoring and integrating public involvement practices that engage communities into as many stages of the process as appropriate.

Brown County’s commitment to tailoring programs so public involvement becomes a part of the culture of “how” programs operate, also includes the commitment to “how” staff is trained to implement the programs. Successful public involvement programs should consist of a team of knowledgeable County staff who are committed to, and have the ability, to reach out and engage the community, from different offices if needed.

It is critical for those on public involvement teams to have broad based skills including knowing how to communicate, understand and address concerns of the general public. In addition, the team should be able to work well together and make sure that everyone thoroughly understands and is able to articulate policy, perspectives, and operating procedures of the program in a manner which the public can understand. The greater the project scope and participation of the public, the greater the need for staff trained to effectively engage the public through the process. Supplemental information is provided regarding staff training in Exhibit A.

The goals of the public participation process is committed to the following principles:

1. All persons regardless of race, color or national origin are entitled to a safe and healthful environment.
2. Strong civil rights enforcement is essential in preventing Title VI violations and complaints.
3. Enforcement of civil rights laws and environmental laws are complementary and can be achieved in a manner consistent with sustainable economic development.
4. Early, preventive steps, whether under the auspices of state and local governments, in the context of voluntary initiatives by industry, or at the initiative of community advocates, are strongly encouraged to prevent potential Title VI violations and complaints.
5. Meaningful outreach and public participation early and throughout the decision-making process is critical to identify and resolve issues, and to also assure proper consideration of public concerns.
6. Intergovernmental and innovative problem-solving provide the most comprehensive response to many concerns raised in Title VI complaints.

### **III. THE TEN STEPS**

#### **STEP 1: Describe the Project**

The first step in determining what level of public participation is appropriate is to provide a clear description of the project. This will lay the foundation for successful public participation by setting the timeline, geographic area, and staffing and budgetary limitations of the project. This will also help to both explain the project to the public, and to communicate the appropriate boundaries of the public participation activities in this project.

It is important that your project description is specific enough that a person who knows nothing about the project could read it and get an idea about what the goals of the project are and who the project is likely to affect. It should identify choices that are yet to be made, and who the known stakeholders are.

It is important from the onset to ensure within all the steps taken as you move forward, that your public involvement process is available to all persons regardless of race, color, national origin, disability, age, sex or prior exercise of rights or opposition to actions protected under federal nondiscrimination laws.

A language analysis should also be made after enough information is gathered for accurate assessment of the project and the community involved to determine if any notices providing information to the public about the project should be provided in other languages. In addition, the notices posted regarding the project should include language that reasonable accommodations to the public will be provided as needed for participation.

## **STEP 2: Assess the Level of Public Interest and Concern**

By answering the following questions, you will be able to evaluate the level of public interest and concern in your project, which will provide guidance as to the level of public participation that should be provided for your project. Complete this assessment with the entire project team to ensure that you achieve a full and fair analysis. For each question, provide a number from 1 to 5, which 1 being the lowest and 5 being the highest.

1. What is the anticipated level of conflict, concern, controversy, or opportunity related to this project or on related issues?
2. How significant are the potential impacts on the public from this project?
3. How much do the major stakeholders care about this project?
4. How much can public opinion influence the project?
5. How significant are the benefits of involving the public?
6. What degree of involvement does the public appear to want?
7. Are there segments of the public who may require accommodations for language access or disability-related access?
8. What degree of public involvement does the Board of Commissioners want or expect?
9. How serious are the ramifications of not involving the public?
10. What is the possibility that the media will become interested in this project?
11. What is the probable level of difficulty related to this project?

You should develop a list of past and present community concerns regarding the project (including any complaints filed under the federal non-discrimination laws) to weigh in on assessing the level of public interest and concern. Once you have answered all of the questions, total up your answers. The following chart provides your expected starting point on the spectrum of public participation activities.

1-20	Low
21-30	Moderate
31-40	High
41-50	Very high

### **STEP 3:      Spectrum of Public Participation Activities**

The EPA Title VI Public Involvement Guidance states that meaningful public involvement consists of informing, consulting, and working with potentially affected and affected communities at various states of the public participation process to address their concerns. Appropriate collaboration during the process can foster trust, and help establish credible, solid relationships between the County and the communities. Such collaboration may serve to ensure that concerns are identified and addressed in a timely manner to possibly reduce the filing of some Title VI complaints. Working to ensure that decision-making processes are open and accessible to all interested groups increases credibility and improves the decision-making processes.

Not every project needs the same level of public participation. There is a wide spectrum of public participation activities that may be appropriate for your project. Some projects will need only public education and outreach. Other projects will need widespread community engagement with stakeholder committees to advise public officials on the public's needs and wants.

Start by taking your score from Step 2 to find your starting point. Regardless of the level of public participation, it is important to consider whether there are stakeholders or segments of the public who may require accommodations for language access or disability-related access, and to tailor your public participation activities appropriately.

#### **Low (1-20)**

- This level generally involves one-way communication with the public. The County provides the public with balanced and objective information about the project, but does not need to solicit or seek out public input on the project.
- The County's commitment at this level is to keep the public informed, but the nature of the project is such that public input will be limited generally to public comment at regular public meetings and unsolicited correspondence from the public.
- The County may use written publications, such as fact sheets, flyers, posters, or media releases, and may hold public information events such as open houses, tours, or site visits.

#### **Moderate (21-30)**

- This level involves some amount of input from the public and specifically from appropriate stakeholders, but there is a limited opportunity for public dialog. Public education about the project is paired with requests for input.
- The County commits to informing and communicating with stakeholders, as well as listening to concerns and feedback from members of the public. The County should also explain how public input influenced the project.
- The County may solicit stakeholders to provide feedback and comments on the project, or it may conduct surveys or hold public meetings to gather information on public needs and wants related to the project.

#### **High (31-40)**

- At this level, the County is working directly with the public throughout the process to

ensure that the public's concerns and goals for the project are understood and considered. For projects in this category, public education and outreach are important elements, but there is an added element of ongoing public input.

- The County will work directly with stakeholders to ensure that their concerns and goals for the project are considered when choices are made for the project, and the County will explain how public input influenced the project.
- In addition to public educational information and solicitation of comments, the County may hold public hearings and workshops to gather public opinion about the project. The County may also establish committees of citizens and stakeholders to provide ongoing advice and comment throughout the project.

### Very High

- At this level, the County is seeking to collaborate fully with the public on some or all aspects of the planning or decisions related to the project, including the identification and selection of alternatives or preferred solutions. Stakeholders are directly involved and are expected to provide needed advice about to accomplish the project most effectively.
- The County will actively seek advice and innovation from stakeholders in planning and the project and incorporating their recommendations into the project to the maximum extent possible.
- To achieve this high-level of public involvement, the County will conduct outreach and solicit input, as well as appoint stakeholder committees and special task forces to provide ongoing advice and comment. Some projects may need an ongoing Board-appointed commissions to exercise long-term advice to project management.

It is important to recognize that this Plan provides a starting point for your analysis, but the specific circumstances of an individual project may move a project from one category to another. For example, a highly controversial project that will garner substantial media attention would generally fall into the High or Very High levels of public participation. However, if that project involves the design of law enforcement facilities where there are operational security requirements that limit public access to the details of the facility, then that level of public participation is not appropriate. Ultimately, County Department Heads are expected to use their judgment and expertise to determine the appropriate level of public participation.



#### **STEP 4: Identify the Goals of the Public Participation Process**

After determining the appropriate level of public participation, you should next define your goals for inviting the public to participate. This will help you select the specific public participation activities you want to conduct.

1. What are the goals of the project?
2. How will those goals be communicated to the public?
3. Are certain public participation activities legally required?
4. What is the project budget? What effect will public participation activities have on that budget?
5. How much of the project is still to be determined based on public input?
6. What project-related decisions are appropriate for public discussion and input?
7. How can the project benefit from public input?
8. How can the project raise the visibility of the positive impact of County government on the community?
9. Are there parts of the project that are inappropriate for public discussion?
10. How can public involvement in the project improve public transparency and trust?

## **STEP 5: Identify Stakeholders**

Next, you need to identify the project stakeholders. Stakeholder involvement is the process of bringing together those people or groups who may be affected by decisions made regarding concerns in a community. Who will be most affected by this project?

1. County elected officials and employees who will work on the project
2. Officials and employees of other governmental units in the communities where the project will take place
3. Contractors who will work on the project
4. Residents and property owners in the neighborhoods near the project
5. Residents who will be customers, clients, or users of the project
6. Employees and officers of nonprofits and businesses providing related services
7. Subject matter experts
8. Investors and donors
9. Other appropriate community leaders

You should develop a description of the community (including demographics, history and background) as a part of this step.

You will want to encourage stakeholder and intergovernmental involvement. Stakeholder groups identify, discuss and work toward resolving concerns in a collaborative manner. Stakeholder involvement is vital in establishing and maintaining a successful public involvement program. Effective stakeholder involvement ensures that diverse interests are considered and gives community members from various backgrounds and cultures opportunities to take active roles to effectively contribute and possibly influence decisions affecting them and their community. As stakeholders continue to work together, they become more familiar with the character of the community and are better able to collaboratively mitigate or resolve issues as they arise. It is important to plan and carefully consider who to include and to seek out the groups and individuals who will be most affected by the proposed action.

## **STEP 6:       Public Participation Toolkit**

Next, you need to specify which public participation activities you will use. To do this, you will look at the appropriate level of public participation, what your goals are for the process, and what stakeholders you need to involve. Below is a list of public participation activities you can select from to use in your project.

- Flyers and posters
- Informational mailings
- Press releases
- Publications in traditional and social media
- Open house or site visit
- Public presentations or Q&A sessions
- Public requests for comments
- Written solicitations to stakeholders to submit comments
- Surveys
- Email or social media groups
- Online forums
- Public meeting
- Public hearing
- Stakeholder workgroup
- Advisory committee
- Task force
- Board-Appointed Commission
- One day training sessions on different subject matters relating to the project
- Specific “how to” sessions for the public that illustrate how they can effectively participate and influence decisions during the public involvement process

This list is intended to provide examples and is not exclusive. You may use appropriate public participation activities that are not listed. It is vital to ensure that the public participation activities chosen are accessible to limited English proficient individuals and individuals with disabilities.

This Plan recommends that you use a number of public involvement approaches with the objective to fully engage as many members of the affected community as possible in the discussion and decisions made regarding the issues in their community. The guidance also notes that because of differences in culture, levels of experience, knowledge and financial resources, you are encouraged to use as many approaches as possible to the extent appropriate to satisfy the program’s needs.

Public participation activities should ensure that multiple avenues of communication are left open to ensure that you can both disseminate information to the public and receive input from the public. For example, you may provide contact lists of relevant staff members with phone numbers and email addresses to allow the public to communicate via phone or internet, and you may provide access to a website or other information repository containing detailed information about the project and a list of appropriate local media contacts based on the culture and linguistic needs of the community.

It is also important to recognize and address factors that may limit public participation. For example, often members of the public are unable to get involved in decision-making because of a lack of understanding or knowledge of issues affecting their community. The public also may

not articulate or formulate their concerns in a manner that fits into the decision-making process. It is important to equip communities with the necessary tools to allow them to effectively participate in the decision-making process and help ensure effective public involvement. Consider offering training to educate the public on process and basic technical issues that are relevant if this is pertinent to your project. Information packets, fact sheets, one-day training sessions or “how to” sessions for the public are all tools that can be used to educate the public depending on the scope of the project and level of public participation sought.

Educational workshops that clarify public involvement opportunities can create greater understanding of the process by the public and may increase involvement and reduce complaints through increasing understanding and involvement. Additional information for equipping the public with tools to help ensure public participation is attached as Exhibit B.

**STEP 7: Schedule**

Any project plan should include a detailed timeline of planning, program development, and decision-making process. Public participation activities should be included in that timeline. When you develop your timeline, make sure public participation occurs early enough in the process that the public can provide adequate influence on the project.

Your timeline should include development and implementation of a detailed plan of outreach activities and actions you will take to address concerns raised by the public. Your timeline should also include contingencies for unexpected events.

The project plan should also identify locations where public meetings and events will be held. When selecting venues for public meetings, it is vital to consider accessibility for persons with disabilities and the availability and schedules of public transportation and other.

**STEP 8: Roles and Responsibilities**

Identify everyone who has a role or responsibility with regard to the project. This should include who is responsible for overall public participation activities, and who is responsible for each individual public participation activity. For each task, you should be able to identify who is responsible for ensuring that task is completed. It is also important to identify who the ultimate decision-makers are for the project. Identifying roles and responsibilities should include developing a list of contact names for obtaining language assistance services for limited-English proficient persons, including translation of documents and/or interpreters for meetings. This step should also include reviewing the list of appropriate local media contacts (based on the culture and linguistic needs of the community) that was developed in Step 6, when identifying roles and responsibilities with regard to the project.

Ensuring that staff receive training for engaging the community based on the scope of the project and level of public participation should be a part of identifying roles and responsibilities. See Exhibit A regarding Staff Training for ensuring this need is met.

**STEP 9: Gather and Disseminate Input and Results**

If your public participation goals include public input, involvement, or collaboration, you must have a process to gather that information and disseminate it to the decision-makers and stakeholders. Once decisions are made, you must have a process for explaining to the public and stakeholders how the project was influenced by the public input received. This feedback is necessary to demonstrate to the public that their time and effort has been well invested and that their comments, concerns, and goals were understood and considered. In addition, as addressed in Step 1, your process for public input, involvement or collaboration needs to ensure accessibility for all public participants.

Part of this feedback will involve explaining the reasoning behind the decisions made. Not everyone will be happy with the decisions that are made, and not every comment or suggestion will ultimately influence the final decision. However, it is important for County leaders to explain to the public why they made the decisions they did, and what factors influenced those decisions. Where decisions involved substantial public participation, it is important to acknowledge how public input influenced the ultimate decisions.

**STEP 10: Evaluate Effectiveness**

Evaluation should be an explicit part of the design for any public participation activity or project plan. Receiving feedback on how public participation activities are conducted will help you better structure those activities for future projects and will help you identify if the activities you have planned for this project are meeting your goals. You may discover during the evaluation process that additional activities are required in order to meet your goals. In addition, by involving stakeholders in designing and conducting the evaluation, you will increase public participation and create a more transparent process.

Evaluating the public participation plan on an ongoing basis gives you a sense of where things are, and an indication of where things are going. Evaluating the program can make sure the process stays on track and allows for changes as the process moves forward. Tools used for evaluating public involvement programs can include informal feedback, questionnaires, interviews, debriefs or surveys. Stepping back to evaluate the program process from the beginning steps to any point in the process provides the ability to see steps that may be in need of improvement and helps ensure a successful program.



**Exhibit A****Staff Training**

A successful public involvement program should consist of a team of knowledgeable County staff, possibly from different offices if needed, who are committed to, and have the ability, to reach out and engage the community early in the participation process. Because the public may sometimes harbor frustration towards public officials who may not be certain about how to properly address an issue within the scope of a public meeting, it is critical for those on the public involvement team to have broad based skills, including knowing how to communicate, understand and address concerns of the general public. Staff training should be a part of Step 8 and should include:

1. Ensuring that there is a thorough knowledge of all of the applicable requirements as well as how to engage the public through the entire process.
2. Team members or program staff should know and be able to explain ‘what to do, how to do it, and when to do it’ for the programs they work in.
3. Training should include sessions on how to actively listen to the public’s concerns, the importance of seriously considering the public’s opinions and addressing the public’s questions in an understandable, prompt and respectful manner.
4. Training should include acknowledgment that effective skills such as those above may reduce the likelihood of controversy and the filing of Title VI complaints. Though training will not guarantee complaints and controversy will not occur, it is an adjunct to dispute avoidance and resolution.
5. Specific training to consider:
  - a. Step by step training on how to explain the project and process to the public in a clear and concise manner.
  - b. Training regarding cultural and community relations sensitization.
  - c. How to engage in a dialogue and collaboration, as well as how to build and maintain trust and mutual respect with communities.
  - d. Communication skills and techniques to enable staff to effectively address community concerns in a clear and concise manner.
  - e. A basic use of pertinent available technological communication tools such as the internet, databases, GIS tools and site maps, etc. to help identify and address potential issues in affected communities.
  - f. Alternative dispute resolution techniques to enable staff to design and carry out a collaborative and informal process that can help resolve Title VI concerns.

## **Exhibit B**

### **Public Participation Education Tools**

Often the public does not get involved in decision-making because of their lack of understanding or knowledge of issues affecting their community. Alternatively, the public may not articulate or formulate their concerns in a manner that clearly fits into the decision-making process underlying the issuance of a permit. Therefore, the public may feel that their views were not valued nor seriously considered.

Consider offering training to the public to educate them on the process and basic technical issues that are relevant to your project if relevant. Equipping the public with the necessary tools to allow them to effectively participate in the decision-making process is an important part of an effective public participation plan. The information below expands upon tools included in Step 6 Public Participation Toolkit and includes additional information for projects with a very high level of public participation.

1. Information packs with useful information or fact sheets regarding regulations, the public involvement opportunities and the important role community involvement plays in helping to address community concerns early rather than later in a public participation plan.
2. Target one day training sessions on different subject matters relating to public involvement to include presentations/discussion on the importance of public involvement or a walk through of steps of the project while focusing on public involvement options and opportunities in that process.
3. Consider seeking resources in the form of grants and free technical assistance to help empower communities to better equip themselves to actively participate in discussion and offer solutions to help address potential Title VI issues in their community in projects with a high level of public participation and/or interest.
4. In addition to grants, local colleges and universities within the communities can also serve as a major resource because of their technical expertise, research capabilities and historical knowledge of issues faced by the affected communities in the past.