

Resolution # 51 - 2010

**RESOLUTION  
OF  
BOARD OF COUNTY COMMISSIONERS  
OF  
MONTROSE COUNTY COLORADO  
CONCERNING  
MASS TRANSPORTATION IN MONTROSE COUNTY AND  
ESTABLISHMENT OF A MONTROSE COUNTY LOCAL TRANSIT  
ADVISORY COUNCIL**

**WHEREAS**, pursuant to C.R.S. 30-11-101 (1)(f), each organized county within the state is empowered to develop, maintain, and operate mass transportation systems, which power is vested either individually in the board of county commissioners or jointly with other political subdivisions or governmental entities formed under Article 1, title 29; and

**WHEREAS**, public mass transportation systems provide a means of transportation for those that are mobility challenged due to numerous factors that include physical limitation and financial limitation, and may decrease the impact of vehicles on the environment and roadway congestion; and

**WHEREAS**, the Colorado Department of Transportation (“CDOT”) has developed regulations and guidelines pursuant to C.R.S. Title 43, Transportation, Parts 6, 7, 9 and 11, and in accordance with the Federal Transit Act at 49 U.S.C., Sec. 5310, addressing various aspects of public mass transportation, including a state-wide transportation plan with the designation of regional areas within the State; and

**WHEREAS**, Montrose County is included in the state transportation plan within the region that includes the counties of San Miguel, Ouray, Delta, Hinsdale and Gunnison; and

**WHEREAS**, included in the CDOT state-wide transportation planning guidelines is the recommendation of the formation of local transit advisory councils (“LTC”) to address mass transportation for residents of a County, such as residents with specific needs such as the mobility challenged; and

**WHEREAS**, the exploration of possible development of a county-wide mass transportation system through the establishment of a LTC to consist of members from through-out the County is in the best interests of the health, safety and welfare of the residents of the County, and

**WHEREAS**, a local transit advisory council has been established, the Montrose Area Transit Advisory Council (“MATAC”), in accordance with requirements under state and federal laws and regulations to consider county-wide public transportation needs, and to work collaboratively with San Miguel, Ouray and Delta counties, which, along with Montrose County, shall compile the regional transit coordinating council (“RTCC”), known as the “Three Rivers Coordinating

Council for Transportation Access and Mobility”, to be facilitated and administered by Region 10 League for Economic Assistance and Planning, Inc., in order to address and consider public mass transit needs for the regional population; and

**WHEREAS**, matters for consideration by the MATAC in the development of a county-wide public mass transportation system, and the development of a regional public transit system, may include the economic feasibility to support such a system; the required capital out-lay to establish such a system; the projected needed tax base to support such a system, both short-term and over the long-term; the support of the county residents to establish such a system; the impact on private property holders to develop such a system; the different types of public transportation systems most applicable to the County; and potential geographical location and routes of such a system, among others; and

**WHEREAS**, certain grant funding may be made available to the County by application to state and/or federal agencies to assist in the exploration to development of public transit system within the County; and

**WHEREAS**, the continuation of the MATAC and County’s participation in the RTCC is contingent on adequate funding and appropriation by the Board of County Commissioners as may be necessary, with requests for such funding and appropriation to be brought before the Montrose County Commissioners annually.

**NOW THEREFORE BE IT RESOLVED**, that the Montrose County Board of County Commissioners approves and directs as follows:

1. The Montrose Area Transit Advisory Council (“MATAC”), consisting of five (5) current members, shall be the local transit council (“LTC”), as set forth above, with additional members, if any, to be drawn from the County-wide population, including, for example, representatives of certain populations that have the greatest need for public transit such as the elderly, disabled, those needing work transportation, representatives of businesses and agencies providing services to vulnerable populations needing public transit, as well as those from the business and recreation communities, to consider the matters set forth in this Resolution in exploring the feasibility of the establishment of a public mass transportation system in the County.
2. The decision to appoint additional members to the MATAC shall reside with the Board of County Commissioners, in consultation with the Chair and Vice-Chair of the MATAC.
3. Additional members of the MATAC, if any, shall be appointed by the Board of County Commissioners following receipt and review of an application by interested persons for appointment to the MATAC. All members of the MATAC shall be residents of Montrose County. Full term appointments shall be for a term of years, as determined by the County Commissioners. Membership shall also include one County Commissioner. Additional or replacement members, as needed, shall be appointed at a scheduled publically held meeting, and shall be notified in writing of their appointment. Members may apply for re-appointment at the end of their term by submission of an application no later than thirty (30) days prior to the expiration of their current term. The County Commissioners shall give equal consideration to all

applicants. Consecutive terms of members, other than the County Commissioner member, shall as determined by the County Commissioners. Members may resign from the MATAAC by submitting a letter of resignation to the Chair thirty (30) days in advance of the resignation date, which shall be set forth in the letter of resignation.

4. The MATAAC shall choose annually by majority vote, one of its members as chairperson and one shall be chosen as vice chairperson. Bylaws may be drafted to govern the MATAAC, with approval of proposed bylaws by majority vote of the MATAAC membership.

5. Montrose County as a member of the regional public transportation planning council ("RTCC"), the "Three Rivers Coordinating Council for Transportation Access and Mobility", to be facilitated and administered by Region 10 League for Economic Assistance and Planning, Inc., ("Region 10") with the Commissioner member and the chair of MATAAC to be the County representatives to the RTCC.

6. The MATAAC shall work collaboratively, representing the best interests of Montrose County and its residents, with the other counties that make up the RTCC; San Miguel, Delta, Ouray Counties, and any other counties that may become members of the RTCC; and shall work collaboratively with Region 10 as administrator and facilitator of the RTCC.

7. Applications for grant funding, as available through state, federal or other sources, may be made for the support of the work of the MATAAC, participation in the RTCC, and in exploring the development of public transit system within the County; such applications to be brought before the County Commissioners at publically held meeting for approval.

8. The continuation of the MATAAC and Montrose County's participation in the RTCC is contingent and dependent on adequate funding being obtained and appropriated, with requests for such funding and appropriation to be brought before the Board of County Commissioners annually.

This Resolution is effective upon approval and signature of the Montrose County Board of County Commissioners.

This Resolution may be revoked, or may be amended from time to time, by resolution of the Montrose County Board of County Commissioners.

Approved and Adopted this 20<sup>th</sup> day of September, 2010.

**BOARD OF COUNTY COMMISSIONERS, MONTROSE COUNTY COLORADO**

ATTEST:

Marie Simmons  
Marie Simmons  
Deputy Clerk to the Board



Ronald Henderson  
Ron Henderson, Chair

David S. White  
David White, Vice-Chair

Gary Ellis  
Gary Ellis, Commissioner