



Town of Snowmass Village

Federal Transit Administration (FTA) Title VI Program

Submitted to:

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Civil Rights & Business Resource Center

Colorado Department of Transportation (CDOT)
2829 West Howard Place, Denver, CO 80204

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SUBRECIPIENT INFORMATION

SUBRECIPIENT: Town of Snowmass Village – Village Shuttle
FTA Section 5311 Program
Rural Transit Service

SUBMITTAL DATE: March 15, 2019 (Draft for Review);
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EXPIRATION YEAR: 2022

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I. PROVISION OF TITLE VI ASSURANCES

The Town of Snowmass Village hereby certifies that, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

- a. Snowmass Village shall submit on an annual basis, their Title VI Assurance, as part of their annual Certification and Assurance submission to CDOT and the FTA.
- b. No person, on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- c. Snowmass Village will compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI Regulation, 49 CFR, Part 21.7.
- d. Town of Snowmass Village will make it known to the public that those persons or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

II. TITLE VI COMPLIANCE HISTORY: COMPLAINTS, INVESTIGATIONS AND LAWSUITS

- a. There are no outstanding complaints; investigations; or lawsuits naming the Town of Snowmass Village that allege discrimination on the basis of race, color or national origin with respect to service or other transit benefits.
- b. There are no pending applications for Federal financial assistance, and there is no Federal financial assistance currently being provided to the Town of Snowmass Village, other than that being supplied by the Federal Transit Administration (FTA). Currently the Town of Snowmass Village is applying for Section 5311 and Section 5339 funding as a subrecipient through the Colorado Department of Transportation (CDOT), a recipient of FTA funds.
- c. During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to the Town of Snowmass Village and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to the Town of Snowmass Village.
- d. There are currently no pending construction projects which would negatively impact minority communities being performed by the Town of Snowmass Village.

III. INCORPORATION OF THE PROGRAM

Town of Snowmass Village (hereinafter referred to as “Snowmass Village” or “Recipient”) hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives. No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration, and hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Transit Administration program:

- a. That the Recipient agrees that each “program” and each “facility”, as defined in subsections 21.23(e) and 21.23(b) of the Regulations will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated, in compliance with all requirements imposed by, or pursuant to, the Regulations.
- b. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Transit Administration programs and, in adapted form in all proposals or negotiated agreements:

Snowmass Village, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

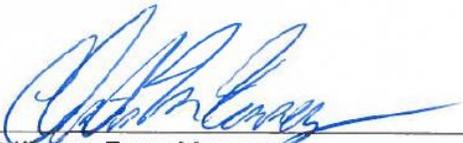
- c. That the Recipient shall insert the clauses contained herein as **APPENDIX A** in every contract subject to this Act and the Regulations.
- d. That the Recipient shall insert the clauses contained herein as **APPENDIX B**, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest herein.
- e. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
- f. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
- g. That the Recipient shall include the appropriate clauses contained herein as **APPENDIX C**, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Transit Administration programs; and (b) for the construction or use of, or access to, space on, over, or under real property acquired, or improved under Federal Administration programs.
- h. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
- i. The Recipient shall provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
- j. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

- k. The Recipient assures that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI of the Civil Rights Act of 1964.

These assurances are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Department of Transportation under the Federal Transit Administration and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Transit Administration programs.

The person(s) whose signature appears below, are authorized to sign these assurances on behalf of the grant applicant or recipient.

Date: June 21, 2019 
David Peckler, Transportation Director
Town of Snowmass Village

Date: June 21, 2019 
Clint Kinney, Town Manager
Town of Snowmass Village

IV. GENERAL GUIDELINES/REQUIREMENTS

a. Annual Certification and Assurance

As stated in Section I, the Town of Snowmass Village shall submit annually, their Title VI assurance, as part of their annual Certification and Assurance submission to CDOT and the FTA.

b. Complaint Procedures

In compliance with 49 CFR Section 21.9(b), the Town of Snowmass Village has developed procedures for investigating and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. The Town of Snowmass Village complaint procedures and complaint form are contained herein as **APPENDIX D**.

c. Record Title VI Activities

In compliance with 49 CFR Section 21.9(b), the Town of Snowmass Village shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, or complaints or lawsuits naming the Town of Snowmass Village that allege discrimination on the basis of race, color, or nation origin. Such list shall include, and an example is shown in **APPENDIX D**,

- 1) Date the complaint, investigation, or lawsuit was filed;
- 2) Summary of the allegation(s);
- 3) The status of the complaint, investigation, or lawsuit, and
- 4) Actions taken by the Town of Snowmass Village in response to the complaint, investigation, or lawsuit.

d. Access for LEP Persons

The Town of Snowmass Village shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). The Town of Snowmass Village will assist persons with limited English proficiency to participate in the transportation planning process. The Town of Snowmass Village staff will make every effort to provide translators and document translation, where feasible, upon request. The Town of Snowmass Village's Limited English Proficiency (LEP) Plan is contained herein as **APPENDIX E**.

e. Public Notification

In compliance with 49 CFR Section 21.9(d), the Town of Snowmass Village shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by the Title VI. The Town of Snowmass Village complaint procedures and public notification information, as well as a list of locations where the notice is posted, are contained herein as **APPENDIX D**.

f. Additional Information

The Town of Snowmass Village acknowledges that, at the discretion of the FTA and CDOT, information other than that which is required by FTA C 4702.1B, may be requested in writing of the Town of Snowmass Village to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

g. Timely Submission

The Town of Snowmass Village acknowledges that their Title VI Program submissions and/or updates thereto, shall be supplied to CDOT once every three (3) years. The submission shall include, but is not limited to:

- 1) A public participation plan (**Appendix H**), including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission;
- 2) Town of Snowmass Village's process for persons with limited English proficiency (LEP);
- 3) Title VI Complaint and Tracking procedures;
- 4) A list of any Title VI complaints, investigations, or lawsuits filed since the last submission; and
- 5) A copy of Town of Snowmass Village's public notice regarding Title VI compliance and public access and instructions to Town of Snowmass Village Title VI complaint procedures.

Portions of the Plan which have not changed since the last submission will not be resubmitted, however, the Town of Snowmass Village shall include a statement to this effect in lieu of copies of the original documents in order to eliminate redundancy in resubmissions.

h. Transit Related Council/Board Membership

The Town of Snowmass Village Town Council manages the Snowmass Village “Village Shuttle” transit service.

The Town of Snowmass Village is a home rule municipality and is governed by a Town Council comprised of the Mayor and four council members, all of whom are nominated and elected from within the town. The Town Council is the governing and legislative body for the Town and is responsible for adopting laws, ordinances, and resolutions as deemed necessary.

The Mayor is elected at-large to a two-year term, and the four council members are each elected to four-year overlapping terms. In order to encourage the participation of minorities to serve, a public notice is published and posted on the Town’s website; at Town Hall; at the Snowmass Center (which houses the post office and main grocery store); via E-Blast; and in the Snowmass Sun prior to the expiration of the term advertising the open position to any Town resident and stating that the Town of Snowmass Village does not discriminate on the basis of race, color or national origin.

The racial breakdown of the current council is three Caucasian males and two Caucasian females. This list and breakdown have not changed since our last submission.

Town Council Member	Racial Breakdown
Markey Butler, Mayor	100% Caucasian
Tom Goode	100% Caucasian
Bill Madsen	100% Caucasian
Alyssa Shenk	100% Caucasian
Bob Sirkus	100% Caucasian

i. Public Participation

The Town of Snowmass Village shall seek out and consider viewpoints of minority and LEP populations in the course of conducting public outreach and involvement activities in regards to proposed transportation decisions. The Town of Snowmass Village shall make every effort to include the following practices:

- 1) Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or LEP communities;
- 2) Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments;

- 3) Utilization of locations, facilities and meeting times that are convenient and accessible to LEP and minority communities;
- 4) Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and
- 5) Implementation of DOT's policy guidance regarding the Town of Snowmass Village's responsibilities to LEP persons.

Town Council meetings are held on the first and third Monday of each month at 4:00 pm. All meetings are held in the Council Chambers at Snowmass Village Town Hall, 130 Kearns Road, Snowmass Village, CO unless otherwise posted. The public is welcome to attend meetings and address the Mayor and Town Council. The public can also email each Council member and if the Town Clerk is cc'd, then the email is considered public record.

Meeting agendas, packets and minutes are listed on the Town of Snowmass Village website and if registered, individuals can receive email notifications each time new meeting agendas are posted. The agenda is also posted at the Snowmass Village town office, the Snowmass Center, and on the Town's website the Friday before each meeting.

A public hearing is held during each meeting when the following subjects can be discussed in regards to transit:

- Annual budget adoption;
- Capital improvement plan adoption;
- Hearings required by State and Federal law or regulation in the pursuit of grants; and
- Any other matter which the Council desires to be discussed at a public meeting.

j. System-Wide Service Standards and Policies

The Town of Snowmass Village shall define system-wide service standards and system-wide service policies, per the requirements of Title 49 CFR Sections a) 21.5 which states the general prohibition of discrimination on the grounds of race, color, or national origin; b) 21.5(b)(2) which specifies that a recipient shall not "utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin."; and c) 21.5(b)(7) which requires recipients to "take affirmative action to assure that no person is excluded from participation in or

denied the benefits of the program or activity on the grounds of race, color, or national origin.” Also, Appendix C to 49 CFR part 21 provides in Section (3)(iii) that “[n]o person or group of persons shall be discriminated against with regard to the 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 location of routes may not be determined on the basis of race, color, or national origin.

System-wide service standards and policies will address how service is distributed across the transit system, and show how the system ensures that the manner of the distribution affords users access to these assets. Service policies will also be designed to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

Service standards will document the vehicle load for each mode, the vehicle headway for each mode, the on time performance for each mode, and the service availability for each mode. Service policies will document the transit amenities for each mode and the vehicle assignment for each mode. Standards and Policies documenting these federal requirements are contained herein as **APPENDIX F**.

Date: June 21, 2019 

David Peckler, Transportation Director
Town of Snowmass Village

Date: June 21, 2019 

Clint Kinney, Town Manager
Town of Snowmass Village

APPENDIX A - Title VI Clause Regarding All Contracts Subject to Title VI
(to be inserted into every contract subject to Title VI)

The Town of Snowmass Village is herein referred to as "Snowmass Village"

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- 1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- 2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- 4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by **SNOWMASS VILLAGE** or the **FEDERAL TRANSIT ADMINISTRATION** to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to **SNOWMASS VILLAGE**, or the **FEDERAL TRANSIT ADMINISTRATION** as appropriate, and shall set forth what efforts it has made to obtain the information.

- 5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provision of this contract, **SNOWMASS VILLAGE** shall impose contract sanctions as it or the **FEDERAL TRANSIT ADMINISTRATION** may determine to be appropriate, including but not limited to:
- a) Withholding of payments to the contractor under the contract until the contractor complies; and/or
 - b) Cancellation, termination, or suspension of the contract, in whole or in part.
- 6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as **SNOWMASS VILLAGE** or the **FEDERAL TRANSIT ADMINISTRATION** may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request **SNOWMASS VILLAGE** to enter into such litigation to protect the interests of **SNOWMASS VILLAGE**, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B - Title VI Clause Regarding Real Property Transactions

(to be inserted into real property transactions)

The Town of Snowmass Village is herein referred to as "Snowmass Village"

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by Law, and upon the condition that **SNOWMASS VILLAGE** will accept title to the Lands and maintain the project constructed thereon, in accordance with **THE STATE OF COLORADO**, and the policies and procedures prescribed by **FEDERAL TRANSIT ADMINISTRATION** of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quit claim and convey unto **SNOWMASS VILLAGE** all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENOUUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto **SNOWMASS VILLAGE** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on **SNOWMASS VILLAGE**, its successors and assigns.

SNOWMASS VILLAGE, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person 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 with regard to any facility located wholly or in part on, over or under such lands hereby [,] [and]* (2) that **SNOWMASS VILLAGE** shall use the lands and interest in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations,

Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction. *

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C - Title VI Clause Regarding Federally Funded Real Property Transactions/Improvements
(to be inserted into Federally funded real property transactions or improvements)

The Town of Snowmass Village is herein referred to as "Snowmass Village"

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by **SNOWMASS VILLAGE** pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee Lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, **SNOWMASS VILLAGE** shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said (licenses, lease, permit, etc.) to re-enter and repossess said land and facilities thereon, and hold the same as if said (license, lease, permit, etc) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants **SNOWMASS VILLAGE** shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **SNOWMASS VILLAGE** and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by **SNOWMASS VILLAGE** pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the

consideration hereof, does hereby covenant and agree (in case of deeds, and leases add “as a covenant running with the land”) that (1) no person on the ground of race, color, or national origin shall be excluded form participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, **SNOWMASS VILLAGE** shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities as thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, **SNOWMASS VILLAGE** shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **SNOWMASS VILLAGE** and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX D

TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS / COMPLAINT LOG

TOWN OF SNOWMASS VILLAGE

Public Notice of Rights

The following statement is posted in conspicuous and accessible locations at the Town of Snowmass Village transportation office; on the Town of Snowmass Village transportation website (<http://www.snowmasstransit.com/>); on route maps; at the Daly Lane transportation station; and permanently displayed on public transit vehicles.

English:

Notifying the Public of Rights Under Title VI and ADA **Town of Snowmass Village**

The Town of Snowmass Village operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI or ADA may file a complaint with the Town of Snowmass Village.

For more information on the Town of Snowmass Village's civil rights program, and the procedures to file a complaint, contact Village Shuttle Title VI/ADA Coordinator; Phone: 970-923-2543; email: dpecker@tosv.com; or visit our administrative office at 51A Elbert Lane, Snowmass Village, CO 81615. For more information, visit <http://www.snowmasstransit.com/>.

A complainant may file a complaint directly with the Colorado Department of Transportation (CDOT) or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **CDOT**: ATTN: Title VI Civil Rights Specialist, 2829 West Howard Place, 1st Floor, Denver CO, 80204 **FTA**: ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590

If information is needed in another language, contact 970-923-2543. Para información en Español llame: David Peckler, Transportation Director.

Spanish:

Aviso al Público Sobre los Derechos Bajo el Título VI y ADA Town of Snowmass Village

The Town of Snowmass Village (*y sus subcontratistas, si cualquiera*) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o país de origen.

Para obtener más información sobre la Town of Snowmass Village's programa de derechos civiles, y los procedimientos para presentar una queja, Village Shuttle Title VI/ADA Coordinator; Phone: 970-923-2543; email: dpecker@tosv.com; o visite nuestra oficina administrativa en 51A Elbert Lane, Snowmass Village, CO 81615. Para obtener más información, visite <http://www.snowmasstransit.com/>.

El puede presentar una queja directamente con Colorado Departamento de Transportación (CDOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: **CDOT:** ATTN: Title VI Civil Rights Specialist, 2829 West Howard Place, 1st Floor, Denver CO, 80204 **FTA:** ATTN Title VI Program Coordinator, East Building, 5th Floor –TCR 1200 New Jersey Ave., SE Washington DC 20590

Title VI Information, Limited English Proficient (LEP), and ADA information and Complaint Process

(for printed materials, website, and other mediums upon request)

The Town of Snowmass Village grants all persons equal access to all its public transportation services. It is further the intent of the Town of Snowmass Village that all persons are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of the Town of Snowmass Village programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 (ADA).

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

What is LEP?

As part of Title VI requirements, the Town of Snowmass Village has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to the Town of Snowmass Village services as required by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

What is the ADA?

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity and access for persons with disabilities. Since passage of the ADA in 1990, transit agencies such as the Town of Snowmass Village have worked to make their public transit systems accessible for people with disabilities by ensuring all transit buses and facilities are ADA accessible to allow for mobility aids such as wheelchairs. The Town of Snowmass Village also follows a strict set of federal transit service requirements to ensure proper accessibility is available to persons with disabilities.

The Town of Snowmass Village's Complaint and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by the Town of Snowmass Village.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Town of Snowmass Village may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI or ADA and related statutes may file a complaint.

The following measures will be taken to resolve Title VI and ADA complaints:

The preferred method is to file your complaint in writing using the **TOSV Title VI and ADA Complaint Form**, and sending it to:

Title VI/ADA Coordinator
Town of Snowmass Village – Village Shuttle
P.O. Box 5010
Snowmass Village, CO 81615
Phone: 970-923-2543

- 1) A formal complaint must be filed within 180 calendar days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, or disability) and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
- 2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Town of Snowmass Village Title VI / ADA Coordinator by calling the phone number listed above. Under these circumstances, the complainant will be interviewed, and the Town of Snowmass Village Title VI / ADA Coordinator will assist the Complainant in converting the verbal allegations to writing.
- 3) When a complaint is received, the Title VI / ADA Coordinator will provide written acknowledgment to the Complainant, within ten (10) calendar days by registered mail.
- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5) Within 15 calendar days from receipt of a complete complaint, the Town of Snowmass Village will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) calendar days of this decision, the Town of Snowmass Village – Village Shuttle Transportation Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of the Town of Snowmass Village's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When the Town of Snowmass Village does not have sufficient jurisdiction, the Town of Snowmass Village – Village Shuttle Transportation Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

- 7) If the complaint has investigative merit, the Town of Snowmass Village – Village Shuttle Transportation Director or his/her authorized designee will instruct the Title VI / ADA Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Transportation Director within 60 calendar days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Title VI / ADA Coordinator will notify the appropriate authorities, and an extension will be requested.
- 8) The Town of Snowmass Village – Village Shuttle Transportation Director or his/her authorized designee will issue letters of finding summarizing the results of the investigation, stating the findings, and advising of any corrective action to be taken as a result of the investigation to the Complainant within 90 calendar days from receipt of the complaint.
- 9) If the Complainant disagrees with the Town of Snowmass Village’s determination, he/she may request reconsideration by submitting a request in writing to the Town of Snowmass Village’s Town Manager within seven (7) days after the date of the Town of Snowmass Village – Village Shuttle letter, stating with specificity the basis for the reconsideration. The Town of Snowmass Village Town Manager will notify the Complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, the Town of Snowmass Village Town Manager will issue a determination letter to the Complainant upon completion of the reconsideration review.
- 10) If the Complainant remains dissatisfied with the Town of Snowmass Village’s resolution of the complaint, he/she has the right to file a complaint with the:

Colorado Department of Transportation
Civil Rights & Business Resource Center
2829 West Howard Place, 1st Floor
Denver, CO 80204
303-757-9072
eboni.riehl@state.co.us

or

Federal Transit Administration
Region 8
Attn: Civil Rights Officer
Byron Rogers Federal Building
1961 Stout Street

Suite 13-301
Denver, CO 80294
Phone: 303-362-2400
Fax: 303-292-5904

APPENDIX D (Continued)

TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS

TOWN OF SNOWMASS VILLAGE

Title VI/ADA Complaint Form

Instructions: If you have a complaint about the accessibility of our transit system or believe you have been discriminated against on the basis of race, color, national origin or disability, please fill out the form below and send it to: Town of Snowmass Village – Village Shuttle, Attn: Title VI / ADA Coordinator, P.O. Box 5010, Snowmass Village, CO 81615.

For questions or a full copy of the Town of Snowmass Village’s Title VI and ADA policy and complaint procedures call 970-923-2543 or email: dpeckler@tosv.com.

1. Name (Complainant):	
2. Phone:	3. Home address (street no., city, state, zip):
4. If applicable, name of person(s) who allegedly discriminated against you:	
5. Location and position of person(s) if known:	6. Date of incident:
7. Discrimination because of: <input type="checkbox"/> Race (Title VI) <input type="checkbox"/> National origin (Title VI) <input type="checkbox"/> Color (Title VI) <input type="checkbox"/> Disability (ADA) <input type="checkbox"/> Accessibility Issue (ADA)	

8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.

9. Why do you believe these events occurred?

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):

Name:

Address:

Phone number:

13. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

- Yes No

If yes, check all that apply:

- Federal agency Federal court State court
 Local agency State agency County court

If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.

Agency/Court: Contact's Name: Address: Phone number:

Signature (Complainant):

Date of filing:

APPENDIX D (Continued)

TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS

TOWN OF SNOWMASS VILLAGE

Title VI and ADA Complaint Log Example

Title VI Complaints, Investigations, and Lawsuits

This form will be submitted annually. If no complaints, investigations, or lawsuits, or were filed, a blank form will be submitted.

**Please note, as of the March 2019 Submission, no Title VI or ADA complaints, investigations or lawsuits have been filed against the TOSV.*

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
Complaints				
1)				
2)				
Investigations				
1)				
2)				
Lawsuits				
1)				
2)				

APPENDIX E

LIMITED ENGLISH PROFICIENCY PLAN

Town of Snowmass Village

March 2019

I. INTRODUCTION

This Limited English Proficiency (LEP) Plan for the Town of Snowmass Village (Village Shuttle) has been developed in response to federal requirements included under Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), which provides that no person shall “on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

II. EXECUTIVE ORDER 13166

Federal Executive Order No. 13166, issued in August 2000 by President Clinton, "Improving Access to Services for Persons with Limited English Proficiency," was created to "... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..." President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. and Acting Assistant Attorney General, Loretta King directed a strengthening of enforcement of Title VI in a memorandum dated July 10, 2009.

As a subrecipient of funds from the Federal Transit Administration (FTA), through the Colorado Department of Transportation (CDOT), this Limited English Proficiency (LEP) Plan for the Town of Snowmass Village – Village Shuttle has been developed to ensure compliance with Federal LEP regulations. It includes an assessment of the limited English proficiency needs of our area, an explanation of the steps we are currently taking to address these needs, and the steps we plan to take in the future to ensure meaningful access to our transit programs by persons with limited English proficiency.

III. POLICY AND PLAN SUMMARY

It is the policy of the Town of Snowmass Village to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination (last amended January 18, 2011 by Resolution No. 7, Series of 2011.). The Town of Snowmass Village will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide

appropriate alternative non-English formats for persons with LEP to access information and services provided.

In developing the plan while determining the Snowmass Village's extent of obligation to provide LEP services, Snowmass Village undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the TOSV service area who may be served or likely to encounter a Snowmass Village program, activity, or service; 2) the frequency with which LEP individuals come in contact with an Snowmass Village services; 3) the nature and importance of the program, activity or service provided by the Snowmass Village to the LEP population; and 4) the resources available to the Snowmass Village and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

IV. LIMITED ENGLISH PROFICIENCY NEEDS OF AREA

The *Four-Factor Analysis* developed by the FTA requires that information be included in LEP Plans regarding the number and percentage of LEP persons in our area, and the nature, frequency and importance of the contact we have with LEP persons in providing transit services. Each of these elements is addressed below.

Factor 1: Number and Percentage of LEP Persons in Our Area

Permanent Population

The U.S. Census provides information to assist in estimating the number of limited English speakers in the permanent population. For small urban areas and rural towns and counties, the best data available is from the U.S. Census American Community Survey 2013-2017. Table 1 presents information for the Town of Snowmass Village on *Language Spoken at Home by Ability to Speak English*, based on that Survey.

TABLE 1: 2017 LANGUAGE SPOKEN AT HOME: SNOWMASS VILLAGE, COLORADO

Subject	Snowmass Village, Colorado					
	Total		Percent of specified language speakers			
			Speak English "very well"		Speak English less than "very well"	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	2,827	+/-11	98.4%	+/-2.7	1.6%	+/-2.7
Speak only English	94.4%	+/-6.3	(X)	(X)	(X)	(X)
Speak a language other than English	5.6%	+/-6.3	72.3%	+/-49.5	27.7%	+/-49.5
Spanish	0.2%	+/-0.5	100.0%	+/-100.0	0.0%	+/-100.0
Other Indo-European languages	1.6%	+/-2.7	0.0%	+/-44.7	100.0%	+/-44.7
Asian and Pacific Island languages	3.9%	+/-5.5	100.0%	+/-25.3	0.0%	+/-25.3
Other languages	0.0%	+/-1.1	-	**	-	**

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimate

- An '**' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
- An '(X)' means that the estimate is not applicable or not available.

As the table shows, there were only a few persons in the permanent population of Snowmass Village who had difficulty speaking English, less than 2.0% overall of persons age 5 and over. In Snowmass Village, those individuals either were speakers of Indo-European languages.

The U.S. Census data indicates a low need to respond to individuals in our service area who have difficulty with English. Those who do have difficulty are primarily Indo-European language speakers.

Visitors

As a world-class resort, we do have guests that come from many countries. The three most prominent non-English speaking countries that our guests come from are Brazil, Argentina, and Mexico. As a result, our website is compatible with Google Translator and can be modified to accommodate most languages. Our route information can also be translated easily and provided for the use of Spanish speaking populations.

In our March 2014 passenger survey (a 2019 passenger survey will be conducted later this year), we found that 7% of our passengers are Hispanic and of that 7%, almost all respondents preferred Spanish over English. If 2 to 4% (as defined in Table 1 and as defined by Pitkin County demographics of those who do not speak English well) of these passengers have LEP, then we have approximated that 2.1% of our passengers will need assistance. In a survey of our driving staff we found that 75% said they assist a customer with LEP once a week or less. As a result, the transportation service route maps are now predominately data driven, not language based.

Summary

Based on the data available roughly 2.1% of our passengers have LEP. Data on our residents, workforce and visitors suggests that the most prominent language group would be Spanish. This is keeping in mind that the Spanish spoken by our riders can vary slightly in dialect and interpretation given the country they descend from. Lower income residents are normally concentrated in employee housing units in the Town's inventory or in units on site at the hotels owned by the private sector. Employees coming into town from the regional transit service would be arriving at the main bus station. Tourists are likely to be staying in lodging throughout the community. As a result, The Village Shuttle continues to provide transit route information in a simple, visually dependent format and in a way that can be easily translated by our online Google Translator service.

Factor 2 & 3: Nature, Frequency and Importance of LEP Contact

The Village Shuttle provides varying levels of service depending on the season. During the Winter season, Fixed Route service is predominately provided that covers all multi-family complexes (both employee housing and private sector) as well as commercial nodes, recreation facilities, a park-&-ride, and public lands. In the Spring and Fall seasons, Fixed Route service is provided along the Owl Creek Rd and Brush Creek Rd corridors (regional connections from the Town to Highway 82) and Demand Response service to the rest of the properties within our winter route structure. In the Summer season, expanded Fixed Route local service is provided along the Owl Creek Rd and Brush Creek Rd corridors and Demand Responsive service is provided to the other properties within the Winter route structure.

Most of our contact with LEP people is through our driving staff. Very few questions are received at our administrative office or through phone calls. The drivers work to provide information in an understandable manner to all our customers. Surveys of driving staff yield: 63% felt they had less than nine (9) LEP passengers board their bus on a daily basis; 75% felt they had LEP passengers on two times or less a day; and 75% felt they assisted LEP passengers once a week or less.

Regardless of whether our LEP passengers are residents, employees, or tourists, our job to assist people get to jobs, shopping, or recreation. We rate our current or potential contacts with LEP passengers as very important. As such, it is the Town's intent to continue to work on Village Shuttle materials to ensure accessibility in a clear and convenient format.

Factor 4: Resources Available for LEP Outreach

Our website and route information has been transformed so that text on Village Shuttle route information is compatible with Google Translator. We have taken all text out of PDF route maps to ensure that route information is easily accessible, regardless of a rider's English comprehension level.

In addition, a number of our drivers are bilingual in Spanish and one in Portuguese. They have been very successful in providing direction through translation or non-verbal communication.

V. LANGUAGE ASSISTANCE PLAN

Given the current need to respond to individuals with LEP our LEP Plan includes the following objectives.

Identifying LEP Persons Who Need Language Assistance

In order to identify LEP needs we will undertake the following:

- Review Census updates as they become available;
- Periodically review perceived LEP needs with drivers;
- Make periodic contacts with Aspen and RE-1 school districts to seek guidance on the most prominent groups with LEP.

Language Assistance Measures

As the need arises, we use the following to respond to LEP needs:

- Update inventory of Census Bureau's "I Speak Cards";
- Maintain Spanish versions of marketing materials, customer complaint forms, public notices, and related information, as appropriate;
- Keep/Hire Spanish-speaking customer service staff and/or drivers on payroll;
- Make available basic Spanish language training to staff;
- Use web-based **Babel Fish**: <https://www.babelfish.com/> for phrase translation into or from multiple languages;
- Use other community resources such as agencies serving LEP persons that may have resources to share.

Staff Training

As the need arises, we provide the following staff training topics:

- Federal LEP requirements, LEP Plan and Title VI;
- Staff and driver awareness training;
- Documenting language assistance requests;
- Subsidize language training through Colorado Mountain College.

Outreach Efforts

As the need arises, we conduct the following outreach:

- Coordinate with school districts to survey language groups in need of assistance.
- Identify agencies that may serve LEP populations;
- Provide opportunities for LEP participation at public meetings, through advertising and have translators available, as appropriate.

Monitoring and Updating Plan

We will monitor and update this plan every 2-3 years or as needed. This will include:

- Reviewing our LEP Plan with staff/drivers and service groups and make adjustments, as needed;
- Pay particular attention to demographic changes in our area and to LEP-related complaints we receive.

Disseminating Our LEP Plan

- Have copies of our plan available to give to agencies serving LEP populations in our area and/or for individual requests;
- Post our plan on our website.

APPENDIX F

Policies and Procedures for the Use of Town of Snowmass Village Public Transportation

The following document is on public display on the Village Shuttle website.

General Use Policies

General Policy. Public transportation vehicles and facilities are provided by the Town of Snowmass Village for the benefit of the Snowmass Village community, visitors, and the general public. All permissible use of public transportation vehicles and facilities shall be strictly limited to conduct consistency with the reasonable use and enjoyment of such services and for their safe and reliable operation.

Use of Town of Snowmass Village Transit Services.

- There are no fares for the use of the Town of Snowmass Village transit services.
- Use of the Town of Snowmass Village transit service is available on a first-come, first-serve basis until capacity is reached. The buses cannot wait for incomplete boarding parties.
- Use of the Town of Snowmass Village Transit System constitutes an acceptance of the terms of use.

Standing Passengers. Passengers are not permitted to stand forward of the Standee Line per federal regulations. Passengers stand at their own risk.

Children.

- Children must be removed from strollers while on the Town of Snowmass Village transit service.
- Diapers may not be changed aboard a Town of Snowmass Village transit vehicle for the health and safety of other passengers.

Strollers; Wagons.

- Only collapsible strollers, wagons and similar child transport devices are permitted on the Town of Snowmass Village transit service. Non-collapsible strollers, wagons, and similar child transport devices are not permitted on the Town of Snowmass Village transit service.
- All strollers, wagons, and similar child transport devices shall be carried on the Town of Snowmass Village transit vehicle in their collapsed condition.

Bicycles, Skis, and Snowboards.

- On a seasonal basis, Town of Snowmass Village vehicles are equipped to carry bicycles, skis, and snowboards on a first-come, first-served basis until capacity is reached.
- Any rider traveling with a bicycle, skis, or snowboard must be able to load without assistance.
- Bicycles may not be brought on-board transit vehicles. If space is available, skis and snowboards may be brought on-board. Use of the provided bicycle rack is at the user's own risk.

Carry-On Items.

- The Town of Snowmass Village does not have space specifically designed for storage.
- Riders may bring packages and groceries on-board vehicles if space is available and if they maintain control of these items within their immediate seating area.
- Any rider traveling with carry-on items must be able to board without assistance.
- Carry-on items must not interfere with passenger safety or obstruct the aisles.
- Portable electronic devices such as cell phones must not be used at a volume that would disrupt the safe operation of the transit vehicle or annoy other passengers.

Hazardous Materials. Hazardous materials such as explosives; flammable liquids; firearms, or weapons (except as authorized by law enforcement personnel); gasoline; propane bottles; other hazardous materials or their containers (example would be paintball guns – need to be secured in a case); and sharp objects or instruments that may be a hazard to others are prohibited on Town of Snowmass Village transit vehicles. Mention of any such materials is considered to be threatening behavior and will not be tolerated. Any violation of this prohibition will result in immediate notification of the appropriate law enforcement officials.

Animals. All animals are allowed on the Town of Snowmass Village transit service, subject to the following requirements:

- Animals must be under the owner's control.
- Animals can be stored in an approved carrier and absolutely must stay on the floor. Animals are not allowed on passenger seats.

- Animals are not to dirty the vehicle or negatively impact any passenger's riding experience.
- Any rider traveling with an animal may be expelled if the animal's behavior compromises the safe operation of the Town of Snowmass Village transit service or otherwise poses a threat to the health, safety, and welfare of the public.

Smoking. Smoking is strictly prohibited while in a Town of Snowmass Village transit vehicle.

Loitering. Remaining on board a Town of Snowmass Village transit vehicle without a destination, sleeping on-board a Town of Snowmass Village transit vehicle, or loitering at a Public Transit Station or designated Bus Stop is not permitted.

Disruptive Behavior. Loud, obnoxious behavior or the use of foul language is not permitted aboard a Town of Snowmass Village transit vehicle, at a designated public bus stop, or at a public transit station. Disruptive passengers may be denied Town of Snowmass Village transit service at the discretion of the Transit Operator.

Flash Photography, Laser Pointers. Taking flash photographs or the use of a laser pointer while on board a transit vehicle can be dangerous and is not permitted.

Alcohol; Illegal Drugs.

- The consumption of alcohol is prohibited while using Town of Snowmass Village transit services per the Colorado open container law, which prohibits the consumption or possession of open containers of alcohol while in a motor vehicle.
- The possession of an open alcoholic beverage container is prohibited while using the Town of Snowmass Village services, in line with Colorado open container laws.
- The driver has discretion of whether or not to permit individuals to ride the Town of Snowmass Village transit service while he or she is intoxicated and not in control of their own person. Driver discretion is based on whether the individual is a threat to self and/or others.
- The possession, sale, or use of any illegal drug is prohibited while using the Town of Snowmass Village transit service.

Fixed Route System. The Town of Snowmass Village Transit System is a fixed route public transportation system. When standing at a bus stop, a rider may flag down the bus he/she wants to ride. If many buses are approaching at once, a rider may flash a number with his/her hand so the driver can determine the bus needed. The Town of Snowmass Village Transit System complies with all state and federal regulations for public transportation and is under

the jurisdiction of the Federal Transit Administration and Federal Motor Carrier Safety Regulations.

Emergencies. In the event of an unforeseen emergency, the Transit Bus Operator shall provide passengers with specific directions for evacuation and/or other necessary actions. For your safety and that of our other passengers, you must comply with the directions provided. Transit Bus Operators are licensed Commercial Drivers and are provided extensive training to meet federal regulations for safety.

Compliance with Use Policies. The Town of Snowmass Village reserves the right to deny boarding of Town of Snowmass Village transit services to any person not complying with the Use Policy and Procedures for the transit system. Refusal to comply with the directions of a Transit Bus Operator or Transit Supervisor and/or the hindering of the movement of public transportation is punishable by Federal Law with up to 16 years in prison and up to \$750,000 in fines. Other state and local laws may also apply. Persons not following the basic requirements for Use of the Town of Snowmass Village transit services will not be allowed to board or will be told they must disembark. The Town of Snowmass Village will notify law enforcement officials of any misconduct involving the Town of Snowmass Village transit services at its discretion.

Non-Discrimination. The Town of Snowmass Village complies with Title VI of the Civil Rights Act of 1964. The level and quality of transportation service will be provided without regard to race, color, or national origin in accordance with Title VI. All Town of Snowmass Village transit services are provided with equal access to all.

Accessibility. All Town of Snowmass Village transit vehicles shall meet the standards of accessibility for persons with disabilities established by the Federal Transit Administration pursuant to the Americans with Disabilities Act, 42 U.S.C. §12101, et seq. (Public Law 101-336).

System-Wide Service Standards and Policies

Service Standards: Bus Only

Vehicle load for each mode.

<u>Vehicle Type</u>	<u>Average Passenger Capacities</u>			<u>Maximum Load Factor</u>
	<u>Seated</u>	<u>Standing</u>	<u>Total</u>	
Cutaway/minibus	16	8	24	1.33
29' bus (Gillig)	28	12	40	1.30

Vehicle headways for each mode.

The Town of Snowmass Village provides bus service in Snowmass Village and regionally in the off-seasons of spring and fall to Highway 82 (connections with Roaring Fork Transportation Authority) in Colorado. There are seasonal fluctuations with winter (November-April) being the busiest time and spring (April-May) and fall (September-November) the slowest time. Summer service (June-September) has moderate service levels.

Winter service.

Winter Service (mid-November to April) has seven fixed routes operating Monday through Sunday from 6:30 am to 1:00 am.

Route 1 serves multi-family properties along Upper and Lower Woodbridge Roads with headways every 15 minutes from 6:30 AM to 6:00 PM and every 30 minutes from 6:00 PM to 11:30 PM.

Route 2 serves properties along Wood Road with headways every 20 minutes from 6:35 AM to 10:35 PM. Portions of the route are served upon request.

Route 3 serves properties along Owl Creek Road and Snowmass Club Circle with headways every 15 minutes from 6:35 AM to 5:20 PM and every 30-minutes from 5:20 PM to 11:50 AM. Portions of the route are served upon request.

Route 4 serves a park and ride facility at the entrance to the community (Town Park Rodeo Lot) with headways every 10 minutes from 6:30 AM to 5:30 PM and every 20 minutes from 5:30 PM to 6:30 PM.

Routes 5 & 6 (same vehicle) serves multi-family properties on Faraway Rd, Upper Brush Creek Road, and to the Upper Carriage Way with headways every 20-minutes from 6:55 AM to 9:00 PM. Portions of Route 6 are served upon request.

Route 8 provides service to the Recreation Center, Melton and Horse Ranch subdivisions on 30 - minute headways from 7:05 AM to 11:35 PM. Portions of the route are served upon request. Service for Route 8 to Town Park Rodeo Lot is available after 6:30 PM.

All routes are served from their ending times until 12:45 AM using Demand Response service.

Spring/Fall service. Spring (April through May) and Fall (September to mid-November) service has two fixed routes, Monday through Sunday. One bus route (Route 3) is a local service route and the other route (Route 82), provided under contract with the Roaring Fork Transportation Authority-RFTA, provides service to the regional station at Highway 82.

The Snowmass Village Club Route #3 provides service along Brush Creek Road and Owl Creek Road with 30-minute headways, operating seven days a week from 6:30 am to 2:45 am. This service covers employee housing at: Club Commons, Club Townhomes, Fairway Three, the School District, Sinclair Meadows, the Firehouse, Creekside, and Mountain View. It leaves the Mall at 20 minutes and 50 minutes past the hour from 6:50 am to 5:20 pm and leaves the Club Center at 5 minutes and 35 minutes past the hour from 7:05 am to 5:35 pm. On-demand service is provided after 5:35 pm by calling 15 minutes in advance, which leaves the Club Center at the top of the hour and 30 minutes past the hour. Portions of the route are served upon request based on demand.

The RFTA route (#82) provides service from the Snowmass Village Mall to the Hwy 82 Park and Ride with 15-minute headways Monday through Friday in peak commuter hours, 30 minute headways in off hours, and 60-minute headways in the late evening and on the weekends. The route leaves the Mall at 15 minutes past the hour from 6:15 am to 2:15 am and 45 minutes past the hour from 6:45 am to 7:45 pm Monday through Friday. 15 minute service during the commuter hours has Mall departures on the hour and half past from 6:00 AM to 9:30 AM and 2:30 PM to 6:30 PM. On Saturday the route leaves the Mall at 15 minutes past the hour from 6:15 am to 2:15 am and on Sunday 6:15 am to 12:15 am.

Demand response service is provided to cover all other core service areas needs with the area serviced by the winter route structure. Demand response service is provided to all regular service areas 6:45 am to 2:00 am Monday – Saturday and 6:45 am to midnight on Sunday. Advance calls are requested.

Summer service. Summer service (June – September) has two fixed routes, Monday through Sunday.

The Snowmass Village Club Route #3 provides service along Brush Creek Road and Owl Creek Road with 30-minute headways. It leaves the Mall at 20 minutes and 50 minutes past the hour and leaves the Club Center at 5 minutes and 35 minutes past the hour from 6:50 am to 9:50 pm. On-demand service is provided after 10:20 pm to midnight.

The Town Park Route 8 provides service along Brush Creek Road to the community boundary covering the Recreation Center and Melton and Horse Ranch subdivisions on 30-minute headways. It leaves the Mall at 5 minutes and 35 minutes past the hour and leaves the Recreation Center at 20 minutes and 50 minutes past the hour from 7:05 AM to 9:05 PM.

Demand response service is also provided to cover all other core service area needs. Demand response service is provided to all regular winter service areas 7:00 am to midnight Monday – Sunday. Advance calls are requested.

POLICY HEADWAYS AND PERIOD OF OPERATION

Winter	Day (minutes)	Night (minutes)
Route 1	15	30
Route 2	20	20
Route 3	15	30
Route 4	10	Demand Response
Route 5/6	20	Demand Response
Route 8	30	30

Day Hours of Operation: 6:30 am – 5:00 pm
 Night Hours of Operation: 5:00 pm – 1:00 am

Spring/Fall	<u>Day (minutes)</u>	<u>Night (minutes)</u>
Route 3	30	Demand Response
Route 82	15 (peak) / 30 (off-peak)	60 after 8:15 pm

Day Hours of Operation: 6:15 am – 5:50 pm
 Night Hours of Operation: 5:50 pm – 2:00 am

Summer	Base (minutes)	Night (minutes)
Route 3	30	Demand Response
Route 8	30	Demand Response

Day Hours of Operation: 6:50 am – 9:50 pm
 Night Hours of Operation: 10:00 pm – 12:00 am

On-time performance for each mode.

Winter service.

The Town of Snowmass Village provides service in an area of Colorado that receives an average of 300” of snow annually and at certain times road and weather conditions, along with heavy skier traffic, may prevent us from completing scheduled runs on time. Regardless, the goal is 100% on-time performance and multiple buses may be put on a route to meet rider needs and maintain on-time performance.

Summer/Spring/Fall service.

The Town of Snowmass Village aims to complete 100% of its scheduled runs on time. Bus malfunctions and unscheduled deviations may prevent a 100% on time performance.

Service availability for each mode.

Snowmass Village’s goal is to have service within a ½ mile of 90% of the population (predominately multi-family properties) in Snowmass Village.

Service Policies: Bus Only

Transit amenities for each mode.

The Town Snowmass Village is responsible for providing amenities to the general public. Common amenities provided at stations and bus stops include benches and trash cans. General and QR coded signs provide route information at all stops. ADA accessible amenities are provided at the Mall, Daly Lane and Base Village transit stations. ADA Accessible bus stops (to include deployment area and curb cuts if applicable) are located at the Snowmass Center, Faraway Road, Sinclair Road, Owl Creek Road at Gamble Way, Snowmass Club, Town Recreation Center and Club Circle Drive.

Vehicle assignment for each mode.

The Town of Snowmass Village transit service fleet consists primarily of heavy-duty transit buses and a lesser number of body on chassis cutaway style buses. The current public transit fleet consists of 24 full time and 5 spare vehicles. 19 buses are 29 feet long and 10 buses are 24 feet long.

Winter Service.

Route 4 carries 42% of the Village Shuttle ridership and 29' heavy-duty transit buses are used to cover the route.

Route 3 carries 20% of the ridership and uses 29' heavy-duty transit buses to cover the route.

Route 1 carries 15% of the ridership and uses 29' heavy-duty transit buses to cover the route.

Route 8 carries 7% of the ridership and uses both the 29' foot heavy-duty transit buses and body on chassis cutaway buses depending on demand.

Routes 2 and 5/6, service carries roughly 15% of the ridership and uses body on chassis cutaway buses.

Demand Response service is provided with cutaway buses and carries all remaining ridership.

Spring/Summer/Fall service.

The RFTA service provided in the spring and fall covers approximately 42% of total ridership and uses 29' heavy-duty transit buses to provide the service. The additional 16% of the service is predominately demand response using body on chassis cutaway vehicles.

Route 3 and Route 8 for Summer service carry approximately 33% of total ridership. Route 3 service uses the 29' heavy-duty transit buses predominately. Route 8 service uses the 29' heavy-duty transit buses and body on chassis vehicles depending on the demand for service.

Demand responsive service is provided using the 29' heavy-duty transit bus if there is only one driver; or when there is a dedicated floater, the body on chassis cutaway buses. In all other cases, body on chassis cutaways are used.

APPENDIX G

Title VI Equity Analysis

A FTA subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. “Facilities” in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. A Title VI Equity Analysis must be done before the selection of the preferred site.

Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.

The Town of Snowmass Village has no current or anticipated plans to develop new transit facilities covered by these requirements. When a new transit facility is planned, the Town will complete and document a Title VI Equity Analysis and include that information in this Appendix.

APPENDIX H

Public Participation Plan

Snowmass Village is engaging the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys. As an agency receiving federal financial assistance, Snowmass Village has the following community outreach efforts:

- Town Council meetings are held on the first and third Monday of each month at 4:00 pm. All meetings are held in the Council Chambers at Snowmass Village Town Hall, 130 Kearns Road, Snowmass Village, CO unless otherwise posted. The public is welcome to attend meetings and address the Mayor and Town Council. The public can also email each Council member and if the Town Clerk is cc'd, then the email is considered public record.
- The Town, of which transportation services are a part of, conducts a community survey every two years and last conducted the survey in 2017. To reach an adequate number of participants, the Town includes a pre-notification and story about the survey in their monthly newsletter that is sent to all subscribers. Following the pre-notification, the Town of Snowmass Village emails a link to the survey. The Town also makes the survey available on their website, www.TOSV.com, and creates Facebook advertisements. In addition to email and online outreach efforts, the Town of Snowmass Village sends a postcard mailer with a link to the survey to every resident and business in Snowmass Village with a PO Box. The survey is also advertised using more traditional mediums, such as the newspapers, on www.SnowmassSun.com, local radio stations, and CGTV.

In the upcoming year, Snowmass Village will make the following community outreach efforts:

- Town Council meetings are held on the first and third Monday of each month at 4:00 pm. All meetings are held in the Council Chambers at Snowmass Village Town Hall, 130 Kearns Road, Snowmass Village, CO unless otherwise posted. The public is welcome to attend meetings and address the Mayor and Town Council. The public can also email each Council member and if the Town Clerk is cc'd, then the email is considered public record.
- The Town, of which transportation services are a part of, will conduct another community survey in the summer of 2019. Survey questions will include asking respondents about their experiences with the Village Shuttle transportation service and if they have any comments on how to improve the service.

To reach an adequate number of participants, the Town includes a pre-notification and story about the survey in their monthly newsletter that is sent to all subscribers. Following the pre-notification, the Town of Snowmass Village emails a link to the survey. The Town also makes the survey available on their website, www.TOSV.com, and creates Facebook advertisements. In addition to email and online outreach efforts, the Town of Snowmass

Village sends a postcard mailer with a link to the survey to every resident and business in Snowmass Village with a PO Box. The survey is also advertised using more traditional mediums, such as the newspapers, on www.SnowmassSun.com, local radio stations, and CGTV.

Public Meetings:

- (1) Public meetings are scheduled to increase the opportunity for attendance by stakeholders and the general public. This may require scheduling meetings during non-traditional business hours, holding more than one meeting at different times of the day or on different days, and checking other community activities to avoid conflicts.
- (2) When a public meeting or public hearing is focused on a planning study or program related to a specific geographic area or jurisdiction within the region, the meeting or hearing is held within that geographic area or jurisdiction.
- (3) Public meetings are held in locations accessible to people with disabilities and are located near a transit route when possible.

APPENDIX I

Town Council Minutes and Resolution Approving Title VI Program

See pages 49-52.

Town of Snowmass Village Agenda Item Summary

DATE OF MEETING:

June 17, 2019

AGENDA ITEM:

Resolution NO. 31, Series of 2019 – Amending the Title VI Plan in Compliance with Civil Rights Act of 1964 and Title 49 – Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation

PRESENTED BY:

David Peckler, Transportation Director

BACKGROUND:

The Town receives grants from the FTA that support the Village Shuttle service on a year-round basis and for our capital purchases of vehicles. The FTA grants in 2019 are for: \$270,180 in Operating assistance, \$50,000 in a Section 5311 Capital grant for a vehicle purchase. Jurisdictions that receive combined FTA grant funding are required to adopt a Title VI Plan as part of the FTA's Certifications and Assurances in their Master Agreement. The Title VI Plan includes:

- Assurances that information and services are accessible to individuals regardless of race, color or national origin; and
- There will be assistance available for individuals with Limited English Proficiency (LEP); and
- There is a formal procedure for handling complaints under Title VI of the Civil Rights Act of 1967.

The significant changes to the Title VI plan from 2016 are as follows:

- We have completed the conversion of our web site so that it is compatible with Google Translator. This means that all our seasonal service descriptions and winter route map can be translated into any language available. We can print materials for individuals or they can access the information from our web page.
- General language has been cleaned up and made compliant with the current guidelines. This is mostly a housekeeping issue.

FINANCIAL IMPACT:

The Town is in the position to be awarded \$320,180 in grant funding in 2019 with the proper guidelines in place.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

Describe the impact to any relevant council goals, if any.

COUNCIL OPTIONS:

1. Approve the Resolution
2. Amend the Resolution to change the Title VI Plan
3. Disapprove the Resolution

STAFF RECOMMENDATION:

Staff requests Council's approval of Resolution NO. 31, Series of 2019 to adopt the amended Title VI Civil Rights Plan to ensure that the services provided by the Town, using funding from the Federal Transit Administration (FTA), shall in no way excluded any person from participation in, benefit of, or in any way subject someone to discrimination on the grounds of race, color or national origin.

ATTACHMENTS:

1. Town of Snowmass Village Federal Transit Administration Title VI Program
2. Resolution 31 Series of 2019 Title VI Program Amendment

SNOWMASS VILLAGE
TOWN COUNCIL

RESOLUTION NO. 31
SERIES OF 2019

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SNOWMASS VILLAGE, COLORADO, AMENDING THE TOWN'S TITLE VI PLAN WHICH INCLUDES A LIMITED ENGLISH PROFICIENCY (LEP) PLAN IN COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, 78 STAT. 252, 42 U.S.C. 2000D TO 2000D-4, AND THE GUIDELINES OF THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

WHEREAS, the Town of Snowmass Village (TOSV) has the power to adopt the Title VI Plan in compliance with Federal Transit Administration guidelines, the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, the Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, and Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000); and,

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and,

WHEREAS, the TOSV has entered into a grant or cooperative agreement for Federal financial assistance; and,

WHEREAS, the TOSV has previously approved all the annual Certifications and Assurances of the Federal Transit Administration's contract which are required for the project by Resolution NO. 28, Series of 2019; and,

WHEREAS, The TOSV has previously adopted a Title VI Plan for the Town by Resolution NO. 30, series of 2015; and,

WHEREAS, the TOSV finds that the adoption of this Resolution is necessary for the immediate preservation of the public health, safety and welfare.

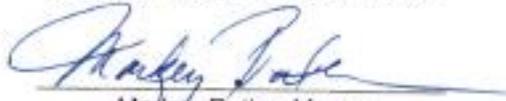
NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Snowmass Village, Colorado,

To amend the Title VI Plan to ensure nondiscrimination in the provision of services on the grounds of race, color or national origin, and to fulfill the responsibility to make information and services available to limited English proficient persons in compliance with the guidelines of the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.

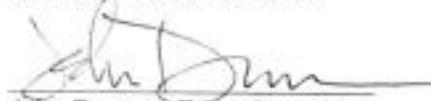
CERTIFICATION

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on the 17th of June 2019 upon a motion made by Council Member Sirkus, the second of Council Member Goode, and upon a vote of 5 in favor and 0 opposed.

TOWN OF SNOWMASS VILLAGE


Markey Butler, Mayor

APPROVED AS TO FORM


John Dresser, Town Attorney

ATTEST:


Rhonda Coxon, Town Clerk