A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY AMENDING RESOLUTION 99-08

WHEREAS, the Mason County Transportation Authority holds regular monthly meetings which are open to the public; and

WHEREAS, the need exists to revise the schedule established by Resolution 99-08 and to publish said revision; Now Therefore

BE IT RESOLVED by the Mason County Transportation Authority Board Of Directors that the regular monthly meetings for the 2000 calendar year shall be held on the 2nd Tuesday of each month at the following times and locations:

January 11	Shelton City Hall	5:00 pm
February 8	Shelton City Hall	5:00 pm
March 14	Port of Allyn	6:00 pm
April 11	County Chambers	4:00 pm
May 9	County Chambers	4:00 pm
June 13	County Chambers	6:00 pm
July 11	County Chambers	4:00 pm
August 8	County Chambers	4:00 pm
September 12	Library - Belfair	6:00 pm
October 10	County Chambers	4:00 pm
November 7	County Chambers	4:00 pm
December 12	Operations Center	6:00 pm
	^	

DATED this <u>14</u> day of <u>7</u> , 2000.

Tanna Mary Jo Cady, Chairpe

anet -R -A RAA Janet Thornbrue, Board

obsent Cindy Olsen, Board

Carelon & Ker

Vice Chair

John Bolender, Board

John Tarrant, Board

Approved as to content Pave O'Connell, General Manager

Approved as to form:

enjamin Settle, Legal Council

nokes Attest:

14/00 Date:

1

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY REGARDING REPRESENTATION AND INDEMNIFICATION OF EMPLOYEES

WHEREAS, able and professional employees are essential to carrying out the statutory functions of Mason Transit; and

WHEREAS, the Mason County Transportation Authority recognizes that able and professional employees cannot be attracted or retained if they risk personal monetary liability for acts which are within the scope of employment and taken in good faith; and

WHEREAS, the Mason County Transportation authority recognizes that the integrity of Mason Transit's operation demands that employees be held personally liable for any actions which are outside the scope of employment or not taken in good faith.

NOW, THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY, AS FOLLOWS:

Section 1: It shall authorize legal representation of any Mason Transit officer, board member or employee who is the subject of any legal action for conduct which the Mason County Transportation Authority finds was within the scope of employment and taken in good faith. This policy covers individuals, whether or not current Mason Transit employees, for actions which they took while Mason Transit employees, as long as the actions were in good faith and within the scope of employment.

Section 2: It shall reimburse any officer, board member or employee for all or part of any monetary liability which the Mason County Transportation Authority finds was incurred for actions within the scope of employment and taken in good faith, except that no reimbursement is authorized for actions which a court finds were either outside the scope of employment or not taken in good faith.

DATED this 13th day of 2000. Cindy Olsen, Board nornbrue, Board Tarrant, Board John Bolender, Board Approved as to content: Dave Q'Connell, General Manager Approved as to form: Benjamin Settle, Legal Council Date: 6/13/00

AMENDMENT TO RESOLUTION NO. 2000-04

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY ESTABLISHING A SURPLUS DISPOSAL POLICY

WHEREAS, the Mason County Transportation Authority (MCTA) has determined that it is necessary and desirable to establish policies to ensure the fair, impartial, responsible and practical disposition of surplus real and personal property of the Mason County Transit; and

WHEREAS, MCTA has determined that such policies will ensure that the public shall receive the greatest possible value for such items of property;

NOW, THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY, AS FOLLOWS:

Section 1. Policy

It shall be the policy of the Mason County Transit to dispose of surplus real and personal property in a competitive manner to ensure a fair procedure and gain the greatest value.

Section 2. Exceptions

The sale or other transfer of personal property shall not be governed by this resolution in the following circumstances:

- a) When the sale or other transfer is to the state or any municipality or any subdivision thereof, as set forth in RCW 39.33.010;
- b) When the personal property to be transferred is to be traded in upon the purchase of a like article;
- c) When the material is considered to be scrap and has no intrinsic value to the general public and has value less than \$10.00 per item.
- d) When the sale or transfer is to a private non-profit 501c(3) organization which serves the elderly, disabled and/or low income population.

Section 3. Personal Property of a Value \$500.00 or Less

The General Manager is hereby delegated authority to dispose of personal property, with an estimated value of \$500.00 or less, deemed to be excess to the future need of the Mason County Transit either by public auction or sealed bids as often as needed.

Section 4. Personal Property of a Value over \$500.00 - But Not Greater than \$50,000

By resolution, the Authority shall declare personal property having an estimated value over \$500.00 as surplus at a public hearing. The General Manager shall recommend to the

Amendment to Resolution 2000-04 Pg. 2

Authority the method of disposal to gain the largest public participation and proceeds realized at the hearing.

Section 5. Personal Property of a Value over \$50,000;

By resolution, the Authority shall declare personal property having an estimated value over \$50,000 as surplus at a public hearing to be held in accordance with procedures set forth in RCW 39.33.020.

Section 6. Real Property

By resolution, the Authority shall declare the real property surplus at a public hearing to be held in accordance with procedures set forth in RCW 39.33.020. For the purposes of the public hearing, the General Manager shall disclose the following information:

- a) Location and description of the property; and
- b) Recommended method of disposition.

Available to the Authority in Executive Session shall be a current appraisal signed by an appraiser licensed by the State of Washington.

Section 7. Ethics

Employees of MCTA shall be ineligible to purchase surplus property. and Board Members

16 day of apri **DATED** this . 2002.

Herb Baze, Chairperson

Wesley Johnson, Board

Bob Holter, Board

Dick Taylor, Vice Chair

John Tarrant, Board

Dawn Pannell, Board

Approved as to content:

Dave O'Connell, General Manager

Approved as to form:

Benjamin Settle, Legal Council

Date: 4/16/02

2

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY ESTABLISHING A SURPLUS DISPOSAL POLICY

WHEREAS, the Mason County Transportation Authority (MCTA) has determined that it is necessary and desirable to establish policies to ensure the fair, impartial, responsible and practical disposition of surplus real and personal property of the Mason County Transit; and

WHEREAS, MCTA has determined that such policies will ensure that the public shall receive the greatest possible value for such items of property;

NOW, THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY, AS FOLLOWS:

Section 1. Policy

It shall be the policy of the Mason County Transit to dispose of surplus real and personal property in a competitive manner to ensure a fair procedure and gain the greatest value.

Section 2. Exceptions

The sale or other transfer of personal property shall not be governed by this resolution in the following circumstances:

- a) When the sale or other transfer is to the state or any municipality or any subdivision thereof, as set forth in RCW 39.33.010;
- b) When the personal property to be transferred is to be traded in upon the purchase of a like article;
- c) When the material is considered to be scrap and has no intrinsic value to the general public and has value less than \$10.00 per item.

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Section 4. Personal Property of a Value over \$500.00 - But Not Greater than \$50,000

By resolution, the Authority shall declare personal property having an estimated value over \$500.00 as surplus at a public hearing. The General Manager shall recommend to the Authority the method of disposal to gain the largest public participation and proceeds realized at the hearing.

Section 5. Personal Property of a Value over \$50,000;

By resolution, the Authority shall declare personal property having an estimated value over \$50,000 as surplus at a public hearing to be held in accordance with procedures set forth in RCW 39.33.020.

Section 6. Real Property

By resolution, the Authority shall declare the real property surplus at a public hearing to be held in accordance with procedures set forth in RCW 39.33.020. For the purposes of the public hearing, the General Manager shall disclose the following information:

- a) Location and description of the property; and
- b) Recommended method of disposition.

Available to the Authority in Executive Session shall be a current appraisal signed by an appraiser licensed by the State of Washington.

Section 7. Ethics

Employees of MCTA shall be eligible to purchase surplus property at a public auction or other public event so as not to give the appearance of a conflict of interest or favoritism.

DATED this <u>13th</u> day of _____ tune , 2000.

Mary Jo Cady Mary Jo Cady Chairperson

hombri not R Thornbrue, Board Janet

Carely & Se

Cindy Olsen, Board

ohn Tarrant, Board

John Bolender, Board

Approved as to content:

Dave O'Connell, General Manager

Approved as to form:

Benjamin Settle, Legal Council

Date: 6/13/00

RCW 39.33.010 Sale, exchange, transfer, lease of public property authorized -- Section deemed alternative.

(1) The state or any municipality or any political subdivision thereof, may sell, transfer, exchange, lease or otherwise dispose of any property, real or personal, or property rights, including but not limited to the title to real property, to the state or any municipality or any political subdivision thereof, or the federal government, on such terms and conditions as may be mutually agreed upon by the proper authorities of the state and/or the subdivisions concerned. In addition, the state, or any municipality or any political subdivision thereof, may sell, transfer, exchange, lease, or otherwise dispose of personal property, except weapons, to a foreign entity.

(2) This section shall be deemed to provide an alternative method for the doing of the things authorized herein, and shall not be construed as imposing any additional condition upon the exercise of any other powers vested in the state, municipalities or political subdivisions.

(3) No intergovernmental transfer, lease, or other disposition of property made pursuant to any other provision of law prior to May 23, 1972, shall be construed to be invalid solely because the parties thereto did not comply with the procedures of this section.

[2003 c 303 § 1; 1981 c 96 § 1; 1973 c 109 § 1; 1972 ex.s. c 95 § 1; 1953 c 133 § 1.]

NOTES:

Effective date -- 2003 c 303: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 14, 2003]." [2003 c 303 § 2.]

Exchange of county tax title lands with other governmental agencies: Chapter 36.35 RCW.

RCW 39.33.020 Disposal of surplus property -- Hearing -- Notice.

Before disposing of surplus property with an estimated value of more than fifty thousand dollars, the state or a political subdivision shall hold a public hearing in the county where the property or the greatest portion thereof is located. At least ten days but not more than twenty-five days prior to the hearing, there shall be published a public notice of reasonable size in display advertising form, setting forth the date, time, and place of the hearing at least once in a newspaper of general circulation in the area where the property is located. A news release pertaining to the hearing shall be disseminated among printed and electronic media in the area where the property is located. If real property is involved, the public notice and news release shall identify the property using a description which can easily be understood by the public. If the surplus is real property, the public notice and news release shall also describe the proposed use of the lands involved. If there is a failure to substantially comply with the procedures set forth in this section, then the sale, transfer, exchange, lease, or other disposal shall be subject to being declared invalid by a court. Any such suit must be brought within one year from the date of the disposal agreement.

[1995 c 123 § 1; 1981 c 96 § 2.]

West's Revised Code of Washington Unannotated Title 39 Public Contracts and Indebtedness Chapter 39.33. Intergovernmental Disposition of Property *Current through End of 1999 Sp. Sess.*

39.33.010. Sale, exchange, transfer, lease of public property authorized -Section deemed alternative.

- (1) The state or any municipality or any political subdivision thereof, may sell, transfer, exchange, lease or otherwise dispose of any property, real or personal, or property rights, including but not limited to the title to real property, to the state or any municipality or any political subdivision thereof, or the federal government, on such terms and conditions as may be mutually agreed upon by the proper authorities of the state and/or the subdivisions concerned.
- (2) This section shall be deemed to provide an alternative method for the doing of the things authorized herein, and shall not be construed as imposing any additional condition upon the exercise of any other powers vested in the state, municipalities or political subdivisions.
- (3) No intergovernmental transfer, lease, or other disposition of property made pursuant to any other provision of law prior to May 23, 1972 shall be construed to be invalid solely because the parties thereto did not comply with the procedures of this section.

39.33.020. Disposal of surplus property -- Hearing -- Notice

Before disposing of surplus property with an estimated value of more than fifty thousand dollars, the state or a political subdivision shall hold a public hearing in the county where the property or the greatest portion thereof is located. At least ten days but not more than twenty-five days prior to the hearing, there shall be published a public notice of reasonable size in display advertising form, setting for the date, time and place of the hearing at least once in a newspaper of general circulation in the area where the property is located. A news release pertaining to the hearing shall be disseminated among printed and electronic media in the area where the property is located. If real property is involved, the public notice and news release shall identify the property using a description which can easily be understood by the public. If the surplus is real property, the public notice and news release shall also describe the proposed use of the lands involved. If there is a failure to substantially comply with the procedures set forth in this section, then the sale, transfer, exchange, lease, or other disposal shall be subject to being declared invalid by the court. Any such suit must be brought within one year from the date of the disposal agreement.

RCW 36.57A.080. General Powers

In addition to the powers specifically granted by this chapter, a public transportation benefit area shall have all powers which are necessary to carry out the purposes of the public transportation benefit area. A public transportation benefit area may contract with the United States or any agency thereof, any state or agency thereof, any other public transportation benefit area, any county, city, metropolitan municipal corporation, special district, or governmental agency, within or without the state, and any private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction or operation of transportation facilities. In addition, a public transportation benefit area may contract with any governmental agency or with any private person, firm or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and right of way for the purpose of planning, constructing or operating any facility or performing any service which the public transportation benefit area may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties. Before any contract for the lease or operation of any public transportation benefit area facilities shall be let to any private person, firm or corporation, a general schedule of rental rates for bus equipment with or without drivers shall be publicly posted applicable to all private certified carriers, and for other facilities competitive bids shall first be called upon such notice, bidder qualifications and bid conditions as the public transportation benefit area authority shall determine.

A public transportation benefit area may sue and be sued in its corporate capacity in all courts and in all proceedings. [1975 1^{st} ex.s. c 270 § 18.]

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY **ESTABLISHING SALARIES**

WHEREAS, the Mason County Transportation Authority Board of Directors has made a determination regarding salaries; and

WHEREAS, the Board of Directors has determined that an increase in salary would be appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE MASON COUNTY **TRANSPORTATION AUTHORITY BOARD OF DIRECTORS** that salaries for the 2000 calendar year be included in the 2000 budget, and set forth as follows:

General Manager: Admin. Svcs. Mgr: Service Dev. Coord. Crew Super/Labor: Shelter Monitor:

\$4,831.00 p/m \$2,380.00 p/m \$2,612.00 p/m \$9.50 p/h \$9.50 p/h

PASSED AND ADOPTED BY THE AUTHORITY at a regular meeting thereof this _____ day of Jolemher, 2000.

Mary Jo Cady, Chairperson

Janet Thornbrue, Board

Carolyn Kerr, Vice Chair

Cindy Olsen, Board

John Bolender, Board

John Tarrant, Board

Approved as to content: Dave O'Connell, General Manager

Approved as to form:

Benjamin Settle, Legal Council

Attest:

Date: _9/12/2000

Note: This Resolution was presented to Board on 7/11/2000, but was not adopted at that time.

RESOLUTION NO. 2000-05

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY FOR THE PURPOSE OF AUTHORIZING THE SUBMITTALOF A PROPOSITION TO THE VOTERS TO IMPOSE ADDITIONAL SALES AND USE TAXES FOR PUBLIC TRANSPORTATION

WHEREAS, the Mason County Transportation Authority (MCTA) funds the operation, maintenance, and capital investments required to provide public transportation in Mason County; and

WHEREAS, the repeal of the Motor Vehicle Excise Tax (MVET), effective January 1, 2000 reduced the revenue available to fund the operation, maintenance, and capital needs of MCTA; and

WHEREAS, RCW 82.14.045, permits MCTA to submit to the voters an authorizing proposition to increase the rate of the retail sales and use tax to a maximum of six-tenths of one percent; and

NOW, THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY, AS FOLLOWS:

Section 1: A proposition shall be placed before the voters of Mason County at an election to be held ______ which, if approved by a majority of the persons voting thereon, shall authorize the MCTA to impose, within Mason County, up to an additional ______-tenths of one percent (1%) of the selling price or value of the article used, as defined and made taxable pursuant to Chapters 82.08 and 82.12 RCW.

Section 2: Pursuant to RCW 82.14.045, the revenue generated by such additional tax shall be used solely for the purposes of funding the operation, maintenance and capital needs of MCTA.

Section 3: The Mason County Auditor is requested and directed to place upon the ballot for ______, a proposition as follows:

Mason County Public Transportation Benefit Area (Mason Transit) Retail Sales and Use Tax for Public Transportation

Shall Mason County Transportation Authority be authorized to impose an additional sales and use tax in an amount up to and not to exceed ______-tenths of one percent (1%) within Mason County, the proceeds of which are to be used solely to fund the operation, maintenance, and capital needs of the public transportation system of Mason County?

YES { } NO { }

RESOLUTION 2000-05

PASSED AND ADOPTED BY THE AUTHORITY at a regular meeting thereof this ______ day of ______, 2000.

Mary Jo Cady, Chairperson

Janet Thornbrue, Board

John Tarrant, Board

Carolyn Kerr, Vice Chair

Cindy Olsen, Board

John Bolender, Board

Approved as to content: Dave O'Connell, General Manager

Approved as to form:

Benjamin Settle, Legal Council

Attest: _____

Date: _____

A RESOLUTION BY THE MASON COUNTY TRANSPORTATION AUTHORITY ADOPTING A REVISED 2000 BUDGET:

WHEREAS, the Mason County Transportation Authority has prepared a revised Budget for the 2000 Calendar Year and;

WHEREAS, the Anticipated Revenue of \$4,953,913.00 adequately addresses the anticipated Expenses of \$4,953,913.00;

NOW THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS that the 2000 Revised Budget, with anticipated revenue and anticipated expenses in the amounts stated and detailed in the Mason County Transportation Authority 2000 Revised Budget, be adopted as written; and recorded as such with the office of the Mason County Auditor.

DATED THIS 12 DAY OF _, 2000. Carelyn & K Absent Mary Jo Cady, Chairman Carolyn Kerr, Vice-Chair Cynthia Olsen, Board Mayor John Tarrant, Board t R. Chornbrue Thornbrue, Board John Bolender, Board APPROVED AS TO CONTENTA Dave O'Connell, General Manager APPROVED AS TO FORM: Benjamin Settle, Legal Counsel ATTEST:

okes, Clerk of the Authority

Date: ______



A RESOLUTION ESTABLISHING THE 2001 SCHEDULE OF REGULAR MEETINGS FOR THE MASON COUNTY TRANSPORTATION AUTHORITY

Whereas, the Mason County Transportation Authority holds regular monthly meetings which are open to the public; and

Whereas, the need exists to establish a published schedule of said meetings.

NOW THEREFORE, BE IT RESOLVED by the Mason County Transportation Authority Board of Directors that the regular monthly meetings for the 2001 calendar year be established as follows:

THE MONTHLY PUBLIC MEETINGS SHALL BE HELD AT THE TIMES AND LOCATIONS AS OUTLINED ON THE ATTACHED SCHEDULE. *All meetings shall be published and changes, if any, shall be published as required by law.*

DATED this 12 day of accorder, 2000. Carolyn Kerr, Vice Chair Mary Jo Cady, Chairperson ant R. Thornbrue absent Cindv Olsen, Board and Thornbrue, Board John Bolender, Board John Tarrant, Board Approved as to content: Dave O'Connell, General Manager Approved as to form: Benjamin Settle, Legal Council Makes Date: 12/12/2000 Attest:

Proposed Meeting Schedule

MTA/MCTAB MEETING SCHEDULES - 2001

MTA	Time	Date	Month	Date	МСТАВ	Time
Mason County Comm. Chambers	4:00 pm	9 th	January	23 rd	Belfair – Library	6:00 pm
Mason County	4:00 pm	13 th	February	27 th	Shelton Civic Center	6:00 pm
Comm. Chambers Port of Allyn	6:00 pm	13 th	March Joint Meeting	13 th	Port of Allyn	6:00 pm
Mason County Comm. Chambers	4:00 pm	10 th	April	24 th	Shelton Civic Center	6:00 pm
Mason County Comm. Chambers	4:00 pm	8 th	Мау	22 nd	Belfair - Library	6:00 pm
Mason County Comm. Chambers	6:00 pm	12 th	June Joint Meeting	12 th	Mason County Comm. Chambers	6:00 pm
Mason County Comm. Chambers	4:00 pm	10 th	July	24 th	Shelton Civic Center	6:00 pm
Mason County Comm. Chambers	4:00 pm	14 th	August	28 th	Shelton Civic Center	6:00 pm
Port of Allyn	6:00 pm	11 th	September Joint Meeting	11 th	Port of Allyn	6:00 pm
Mason County Comm. Chambers	4:00 pm	9 th	October	23 rd	Shelton Civic Center	6:00 pm
Mason County Comm. Chambers	4:00 pm	13 th	November	20 th	Belfair - Library	6:00 pm
Shelton Civic Center	6:00 pm	11th	December Joint Meeting	11 th	Shelton Civic Center	6:00 pm

NOTE: MCTAB meetings scheduled at the Belfair Library in January and May have been confirmed. Meetings scheduled in the last half of 2001 cannot be booked until May. Meetings at Port of Allyn in March and September have been confirmed available. Cost for the Civic Center is \$20.00 per meeting. Dates have been confirmed available pending approval of MCTAB.

A RESOLUTION, ADOPTING A BUDGET FOR THE MASON COUNTY TRANSPORTATION AUTHORITY, FOR THE CALENDAR YEAR BEGINNING **JANUARY 1, 2001.**

Whereas, the Mason County Transportation Authority Board has prepared a Budget for the 2001 Calendar Year and;

Whereas, the Anticipated Revenue of \$3,600,814.00 adequately addresses the anticipated Expenses of \$3,600,814.00 now therefore

NOW THEREFORE, BE IT RESOLVED BY THE MASON COUNTY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS that the 2001 Budget, with the anticipated revenue and anticipated expenses in the amounts stated and detailed in the Mason County Transportation Authority 2000 Budget, be adopted as written; and recorded as such with the office of the Mason County Auditor.

DATED this 12th day of December, 2000.

Mary Jo Cady, Chairman

John A. Bolender, Board

absent

Cynthia D. Olsen, Board

John Tarrant, Board

Carolyn Kerr, Vice-Chair

hornbrue R. Thornbrue, Board

APPROVED AS TO CONTENT: Dave O'Connell, General Manager APPROVED AS TO FORM: Benjamin Settle, Legal Counsel nokes ____ DATE:___ ATTEST: