

MASON COUNTY, WASHINGTON

GENERAL OBLIGATION BONDS

RESOLUTION NO. 34-96

A RESOLUTION of the Board of County Commissioners of Mason County, Washington, providing for the form of ballot proposition and specifying certain other details concerning submission to the qualified electors of the county at a special election to be held therein on May 21, 1996 for the issuance of its general obligation bonds in the aggregate principal amount of \$19,970,000 or so much thereof as may be issued under the laws governing the indebtedness of counties for the purpose of providing funds to remodel and improve the existing County Courthouse, and to design, construct and equip a Law Enforcement Building addition to Courthouse Building I, a new Mason County Justice Center and a new North County Service Center.

ADOPTED MARCH 5, 1996

Prepared by:

PRESTON GATES & ELLIS
Seattle, Washington

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WHEREAS, the County is urgently in need of a Justice Center facility, a North County Service Center facility, a new Law Enforcement Building, an addition to Courthouse Building I and remodeling to the existing Mason County Courthouse and the County lacks sufficient funds therefor; and

WHEREAS, in order to provide all or a part of the funds to enable the County to accomplish such capital improvements, it is deemed necessary and advisable that the County issue and sell its unlimited tax general obligation bonds to provide funds for such purposes; and

WHEREAS, the Constitution and laws of the State of Washington provide that the question of whether or not such bonds may be issued and sold for such purposes must be submitted to the qualified electors of the County for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, WASHINGTON, as follows:

Section 1. Findings. This Board of County Commissioners (the "Board") hereby finds and declares that the best interest of the inhabitants of the County requires the County to carry out the plans hereinafter provided at the time or times and in the order deemed most necessary and advisable by the Board.

Section 2. Capital Improvements. The County shall undertake the following plan of capital improvements:

1. Remodel and make improvements to the existing County Courthouse;
2. Design, construct and equip a Law Enforcement Building addition to Courthouse Building I;
3. Design, construct and equip a new Mason County Justice Center that will include, but not be limited to, juvenile detention, adult detention, district court, juvenile court, probation services, day reporting and other related facilities; and
4. Design, acquire, construct and equip a new North County Service Center.

Such improvements shall include planning, design and management activities, and shall be complete with all necessary furniture, equipment and appurtenances.

If available funds are sufficient, the County shall acquire, construct, equip and make other capital improvements to the facilities of the County all as the Board of County Commissioners finds necessary.

The County shall determine the application of available moneys as between the various projects so as to accomplish, as nearly as may be, all improvements provided for in this section. The County shall determine the exact extent and specifications for construction of structures or other improvements. If the County shall determine that it has become impracticable to accomplish any of such improvements or portions thereof by reason of changed conditions or needs, incompatible development, costs substantially in excess of those estimated, or acquisition by a superior governmental authority, the County shall not be required to accomplish such improvement and may apply bond proceeds as set forth in this section. If any or all of the improvements have been completed, or their completion duly provided for, or their completion found to be impractical, the County may apply the bond proceeds or any portion thereof to other portions of the improvements or to other capital purposes of the County, or to payment of principal of or interest on the bonds, as the County in its discretion shall determine. In the event that the proceeds of sale of the bonds, plus any other moneys of the County legally available, are insufficient to accomplish all of the capital improvements provided by this section, the County

shall use the available funds for paying the cost of those improvements for which the bonds were approved deemed by the County most necessary and in the best interest of the County.

Section 3. Authorization of Bonds. For the purpose of providing all or a part of the funds necessary to pay the cost of the improvements referenced in Section 2 hereof, together with incidental costs and costs related to the sale and issuance of the bonds, the County shall issue and sell its unlimited tax general obligation bonds in the principal amount of not to exceed \$19,970,000. The balance of the cost of such improvements shall be paid out of any moneys which the County now has or may later have on hand which are legally available for such purposes and out of possible state or federal grants of money. None of said bond proceeds shall be used for the replacement of equipment or for any other than a capital purpose. Such bonds shall be issued in an amount not exceeding the amount approved by the qualified electors of the County as required by the Constitution and laws of the State of Washington or exceeding the amount permitted by the Constitution and laws of the State of Washington.

Section 4. Details of Bonds. The bonds provided for in Section 3 hereof shall be sold in such amounts and at such time or times as deemed necessary and advisable by this Board and as permitted by law, shall bear interest at a rate or rates not to exceed the maximum rate permitted by law at the time the bonds are sold, and shall mature in such amounts and at such times within a maximum term of twenty (20) years from date of issue, but may mature at an earlier date or dates, as authorized by this Board and as provided by law. Said bonds shall be general obligations of the County and, unless paid from other sources, both principal thereof and interest thereon (including original issue discount) shall be payable out of annual tax levies to be made upon all the taxable property within the County without limitation as to rate or amount and in excess of any constitutional or statutory tax limitations. The exact date, form, terms and maturities of said bonds shall be as hereafter fixed by resolution of the Board of County Commissioners. After voter approval of the bond proposition or propositions and in anticipation of the issuance of such bonds, the County may issue short term obligations as authorized and provided by Chapter 39.50 RCW.

Section 5. Bond Election. It is hereby found and declared that an emergency exists requiring the County to submit to the qualified electors of the County a proposition of whether or not the County shall issue such bonds for the foregoing projects, at a special election to be held therein on the 21st day of May, 1996.

The Mason County Auditor as ex officio supervisor of elections is hereby requested also to find the existence of such emergency and to call and conduct said special election within the County on said date and to submit to the qualified electors of the County the proposition hereinafter set forth. The Clerk of the Board of County Commissioners is hereby authorized and directed to certify said proposition to said official in the following form:

PROPOSITION NO. 1
MASON COUNTY
GENERAL OBLIGATION BONDS

To design, construct and equip a law enforcement addition to Courthouse Building #1, a new Justice Center (including facilities for juvenile and adult detention, District Court, Juvenile Court and Probation Services) and a North County Service Center and to remodel the County Courthouse, shall Mason County issue \$19,970,000 of general obligation bonds payable out of annual property tax levies in excess of regular tax levies, maturing within 20 years, as provided in Resolution No. ____?

BONDS, YES.....

BONDS, NO

CERTIFICATE

I, the undersigned, Clerk of the Board of County Commissioners of Mason County, Washington (the "County"), and keeper of the records of the Board of County Commissioners (the "Board"), DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 34-96 of the Board (herein called the "Resolution"), duly adopted at a regular meeting thereof held on the 5th day of March, 1996.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of said Resolution; that all other requirements and proceedings incident to the proper adoption of said Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of March 1996.

Secretary, Board of County Commissioners

OFFICIAL BALLOT
MASON COUNTY, WASHINGTON
May 21, 1996

INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word "YES"; to vote against the following proposition, place a cross (X) in the square opposite the word "NO."

PROPOSITION NO. 1
MASON COUNTY
GENERAL OBLIGATION BONDS

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BONDS, YES.....

BONDS, NO

ADOPTED by the Board of County Commissioners of Mason County, Washington, at a regular open public meeting thereof held the 5th day of March, 1996.

By Mary Jo Cady
MARY JO CADY, Chairperson

By M. L. Faughender
M.L. FAUGHENDER, Member

By William O. Hunter
WILLIAM O. HUNTER, Member

ATTEST:

Rebecca S. Rogers
Clerk of the Board

APPROVED AS TO FORM:

Clark Platt, CHIEF DPA
Prosecuting Attorney

OFFICE OF THE MASON COUNTY AUDITOR

WHEREAS, the undersigned, as the duly elected, qualified and acting Auditor of Mason County, Washington, has jurisdiction of and is required by law to conduct all special elections for the County; and

WHEREAS, the Board of County Commissioners of said County by resolution adopted 03-05, 1996, a certified copy of which has been delivered to the undersigned, has found that an emergency exists requiring the holding of a special election on May 21, 1996; and

WHEREAS, said County by said resolution has authorized and directed the undersigned to assume jurisdiction of and conduct said special election;

NOW, THEREFORE, it is hereby authorized and ordered as follows:

The undersigned concurs in the finding of an emergency and does hereby assume jurisdiction of the above-mentioned special election of Mason County, authorized and ordered by resolution of its Board of County Commissioners adopted 03-05, 1996, and will conduct said special election to be held May 21, 1996.

DATED at Shelton, Washington, this 3rd day of MARCH 1996.



Mason County Auditor

NOTICE
MASON COUNTY, WASHINGTON

May 21, 1996

NOTICE IS HEREBY GIVEN that on May 21, 1996, a special election will be held in Mason County for the submission to the qualified electors of the County of the following proposition:

PROPOSITION NO. 1
MASON COUNTY
GENERAL OBLIGATION BONDS

To design, construct and equip a law enforcement addition to Courthouse Building #1, a new Justice Center (including facilities for juvenile and adult detention, District Court, Juvenile Court and Probation Services) and a North County Service Center and to remodel the County Courthouse, shall Mason County issue \$19,970,000 of general obligation bonds payable out of annual property tax levies in excess of regular tax levies, maturing within 20 years, as provided in Resolution No. ____?

BONDS, YES.....

BONDS, NO

The polling places for all precincts wholly or partially within the County shall be as follows:

Precincts

Polling Places

Said polling places shall be open from 7:00 a.m. to 8:00 p.m.



Mason County Auditor