

METROPOLITAN SERVICE DISTRICT  
BOARD OF DIRECTOR'S MEETING MINUTES  
OF  
OCTOBER 9, 1970

ATTENDANCE

Eldon Hout, Chairman  
Frank Schumaker  
Harold Ruecker  
David Eccles  
Lloyd Anderson  
Robert Schumacher  
Sid Bartels  
Homer Chandler, Executive Director

There being a quorum present, the Committee considered the following items:

I. APPOINTMENT OF ATTORNEY

Chairman Eldon Hout announced that the Board of Directors had appointed the legal firm of Cake, Jaureguy, Hardy, Buttler and McEwen to represent the Service District. Mr. Herbert Hardy will be the member of that firm that will handle the District's affairs.

II. TRANSIT STATEMENT

Mr. Hout stated that, in order to clarify some questions that had been raised regarding the Service District's intentions concerning mass transportation, a statement has been prepared by the Board of Directors. This statement, which was read by Mr. Hout, pointed out two specific items. These declared that the intent of the District to assume responsibility for mass transportation, when it is deemed feasible, should in no way be construed to mean that the District will make financial changes that would upset the operation of the transportation system until such time as alternative methods of financing are developed; and that secondly, the District has no intention of jeopardizing the salary programs and fringe benefits now being offered to the employees of the mass transit district.

III. AGENDA FOR OCTOBER 23 MEETING

The Board of Directors instructed the Executive Director to place on the agenda for the October 23 meeting the following:

- (1) A report by the Executive Director on matters pertaining to storm drainage and particular recommendations concerning the Johnson Creek Drainage System.
- (2) A review of proposed legislation that may affect the Metropolitan Service District operations.

The Board of Directors specifically requested reports from the Metropolitan Study Commission, the Legislative Interim Committee on Local Affairs, and the Decisions and Directions Chairman.

IV. THE ROLE OF THE DISTRICT

A general discussion was held concerning what role the Metropolitan District should play in the overall development of the metropolitan area. The principal question in this discussion was, should the District provide general services as empowered by law or should it provide services only where no service is now being offered by a city or county, or where the present level of service offered is failing to meet the needs of the community.

Mr. Hardy stated that, in his review of the legislative act which created the Metropolitan District, he had concluded that the charge given the District is one of the widest ever given to a governmental body and that the Board members have a great latitude as to what degree of service they wish to provide. He also stated that, as he reviewed the legislation creating the District and also the legislation which created the mass transit district, there are enough inconsistencies between these two bills to justify seeking a declaratory judgment from the Supreme Court prior to the legislative session.

He stated that he feels it is a must that the Board outline the objectives of the District because he anticipates that there will be numerous legal actions taken against the District and the objectives will be of great assistance to the Court in evaluating the legal actions. In seeking a declaratory judgment, Mr. Hardy was authorized to outline and have ready for presentation at the October 23 meeting the scope of what questions he feels should be resolved and that, secondly, he is empowered to discuss this with other parties to this legal action.

In addition to the legal assignments given Mr. Hardy, the Board requested that he work with them and the Director in preparing legislation that would authorize the use of State Bond money for the development of solid waste programs.

There being no further business, the meeting adjourned at 4:15 p.m.

10/2/70

Anderson Motion

The Board of Directors of the Metropolitan Service District have <sup>Authorized</sup> ~~authorized~~ a study to determine what action is necessary to allow the Metropolitan Service District to move forward to assume the responsibility of providing mass transportation services. This study would determine the legal steps necessary to assume existing mass transit operations, identify the financial implications including assets and liabilities of existing operations, and identify administrative and operational procedures which should be established as part of the assumption of this function by the Metropolitan Service District.

October 2, 1970

Keuckers Motion

Pursuant to the intention of the 1969 Legislature that mass transportation should be a service of a metropolitan agency, managed by local elected officials, ~~remove~~ the Board of Directors of the Metropolitan Service District <sup>immediately</sup> initiate whatever legal steps necessary to assure the Board of the smooth transition of the responsibility of providing mass transportation services for the metropolitan area to this Board.

excerpt 2 ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~  
42 1970

e/b

\_\_\_\_\_

\_\_\_\_\_

Ayer

No

Anderson

\_\_\_\_\_

F  
\_\_\_\_\_

OK Copy  
Note re a  
\_\_\_\_\_

M E M O R A N D U M

TO: Metropolitan District Board      DATE: Sept. 28, 1970  
Members

FROM: Homer C. Chandler

Attached is a sheet on which I have worded four different possible motions regarding action on the assumption of transportation as a function of the Metropolitan District.

In wording these four, I have attempted to capture the observations made in our Friday meeting as well as comments made in informal discussions.

As to the final wording, if you wish it to be typed and ready for presentation on Friday, please let me know your preference and or suggested changes.

Sincerely,

Homer C. Chandler  
Executive Director

HCC:jc

Attachment

1. Pursuant to the intention of the 1969 Legislature that mass transportation should be a service of a metropolitan agency managed by local elected officials, the Board of Directors of the Metropolitan Service District have authorized a study to determine what action is necessary to allow the Metropolitan Service District to assume the responsibility of providing mass transportation services. This study is to determine the legal steps required to assume existing mass transit operations and to determine what are the assets and liabilities of existing operations that will transfer to the Metropolitan District.
2. The Board of Directors of the Metropolitan Service District authorizes a study looking towards a decision regarding the early assumption of mass transit responsibility.
3. The Board of Directors of the Metropolitan Service District authorizes a study of the steps required to assume the responsibility of providing mass transit services.
4. Mr. \_\_\_\_\_ moved that the Board of Directors of the Metropolitan Service District initiate procedures that will place, at an unspecified time, the responsibility of providing mass transportation as a regional function under the direction of the Metropolitan Service District.