

2008 RESOLUTIONS

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| <u>OCR 08-01</u> | <u>James Quandt-recognition on Planning Comm.</u> | <u>BOC 01/08/08</u> |
| <u>OCR 08-02</u> | <u>Larry Higgins-recognition on UC Board</u> | <u>BOC 01/08/08</u> |
| <u>OCR 08-03</u> | <u>Final 9-1-1 Service Plan</u> | <u>Special Meeting BOC 02/05/08</u> |
| <u>OCR 08-04</u> | <u>Adopt monthly 9-1-1 surcharge</u> | <u>Special Meeting BOC 02/05/08</u> |
| <u>OCR 08-05</u> | <u>Chief Executive Officer for Emergency Disasters</u> | <u>BOC 02/14/08</u> |
| <u>OCR 08-06</u> | <u>Airport Plow Truck Disposal</u> | <u>BOC 02/14/08</u> |
| <u>OCR 08-07</u> | <u>Broadband Cooperative Support</u> | <u>BOC 02/14/08</u> |
| <u>OCR 08-08</u> | <u>Mortgage Discharge-Hill</u> | <u>BOC 03/11/08</u> |
| <u>OCR 08-09</u> | <u>March is Red Cross month</u> | <u>BOC 03/11/08</u> |
| <u>OCR 08-10</u> | <u>Criminal Justice Coordinating Committee</u> | <u>BOC 03/11/08</u> |
| <u>OCR 08-11</u> | <u>OCBS FY2009 Financial Assistance</u> | <u>BOC 03/25/08</u> |
| <u>OCR 08-12</u> | <u>2008-2009 NEMCOG-CEDS</u> | <u>BOC 03/25/08</u> |
| <u>OCR 08-13</u> | <u>Mortgage Discharge-Patricia Peter</u> | <u>BOC 04/08/08</u> |
| <u>OCR 08-14</u> | <u>NWMCHA-Building Project</u> | <u>BOC 04/08/08</u> |
| <u>OCR 08-15</u> | <u>Police Memorial Week</u> | <u>BOC 05/13/08</u> |
| <u>OCR 08-16</u> | <u>Library Millage</u> | <u>BOC 05/13/08</u> |
| <u>OCR 08-17</u> | <u>87th District Court Reformation</u> | <u>BOC 05/27/08</u> |
| <u>OCR 08-18</u> | <u>Motorcycle Safety Grant</u> | <u>BOC 06/24/08</u> |
| <u>OCR 08-19</u> | <u>Discharge of Mortgage-Nawrot</u> | <u>BOC 07/08/08</u> |
| <u>OCR 08-20</u> | <u>Support of Reaching Out Against Road Rage-ROARR</u> | <u>BOC 07/08/08</u> |
| <u>OCR 08-21</u> | <u>DNR Waterways Grant</u> | <u>BOC 07/22/08</u> |
| <u>OCR 08-22</u> | <u>Christopher Knight recognition</u> | <u>BOC 07/22/08</u> |
| <u>OCR 08-23</u> | <u>Discharge of Mortgage - Fortin</u> | <u>BOC 08/26/08</u> |
| <u>OCR 08-24</u> | <u>MSHDA</u> | <u>BOC 09/23/08</u> |
| <u>OCR 08-25</u> | <u>Brownfield Redevelopment Authority</u> | <u>BOC 10/14/08</u> |
| <u>OCR 08-26</u> | <u>Brownfield Redevelopment Authority</u> | <u>BOC 10/14/08</u> |
| <u>OCR 08-27</u> | <u>Opposition to HB 6112</u> | <u>BOC 10/28/08</u> |
| <u>OCR 08-28</u> | <u>Recognition of Air Fair Donors</u> | <u>BOC 11/06/08</u> |
| <u>OCR 08-29</u> | <u>Recognition of Veterans' Day Celebration</u> | <u>BOC 11/06/08</u> |
| <u>OCR 08-30</u> | <u>Recognition of Airport Furniture Donations</u> | <u>BOC 11/06/08</u> |
| <u>OCR 08-31</u> | <u>Discharge of Mortgage-Koscielniak</u> | <u>BOC 11/25/08</u> |
| <u>OCR 08-32</u> | <u>MERS</u> | <u>BOC 11/25/08</u> |

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| OCR 08-33 | 2009 BUDGET APPROPRIATIONS ACT | BOC 11/25/08 |
| OCR 08-34 | James Maddix recognition-Planning Comm. | BOC 11/25/08 |
| OCR 08-35 | MERS Health Care Savings Program | BOC 11/25/08 |
| OCR 08-36 | MSHDA-HRF | BOC 12/16/08 |
| OCR 08-37 | Recognition of Donald Huff | BOC 12/16/08 |
| OCR 08-38 | Recognition of Judith Estelle | BOC 12/16/08 |
| OCR 08-39 | Recognition of Joseph Edwartowski | BOC 12/16/08 |
| OCR 08-40 | Recognition of Vern Kassuba | BOC 12/16/08 |
| OCR 08-41 | Recognition of Richard Sumerix | BOC 12/16/08 |
| OCR 08-42 | Recognition of Robert Harkness | BOC 12/16/08 |
| OCR 08-43 | Recognition of Chester Kozlowski | BOC 12/16/08 |
| OCR 08-44 | Recognition of Lee Olsen | BOC 12/16/08 |
| OCR 08-45 | Recognition of Allan Bentz | BOC 12/16/08 |
| OCR 08-46 | MERS Hybrid Retirement Plan | BOC 12/16/08 |

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 8th day of January, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: BATES.

The following preamble and resolution was offered by Commissioner BACKENSTOSE.

RESOLUTION NO. OCR 08-01
HONORING JAMES QUANDT

OTSEGO COUNTY BOARD OF COMMISSIONERS
January 08, 2008

WHEREAS, James Quandt has voluntarily served Otsego County as a member of the County Planning Commission for more than five years; and

WHEREAS, the Otsego County Board of Commissioners appreciates the dedication and service that James has provided; and

WHEREAS, as a member of the Planning Commission he helped in the development of Otsego County's Wind Turbine ordinance as well as guiding the County through its growth during the last decade; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners is honoring James for his outstanding service to the County and expresses their pride in his accomplishments; and be it further

RESOLVED, that the Otsego County Board of Commissioners wishes to thank James for his tireless commitment to the County and his leadership and dedication to ensure that the land use regulations adopted by the County were reasonable and based on common sense, with an eye toward making sure individual property rights were always addressed and protected.

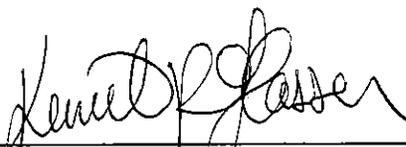
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

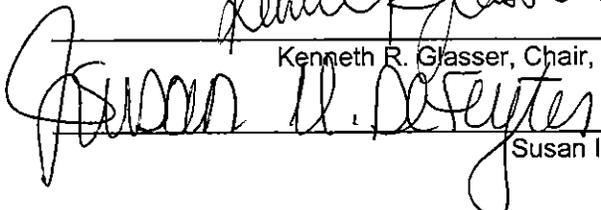
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN }
 } ss.
COUNTY OF OTSEGO }

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8th day of January, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 8th day of January, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: BATES.

The following preamble and resolution was offered by Commissioner OLSEN.

**RESOLUTION NO. OCR 08-02
HONORING LARRY HIGGINS**

Otsego County Board of Commissioners
January 8, 2008

WHEREAS, Larry Higgins has voluntarily served Otsego County as a member of the University Center Board of Directors for more than twenty-four years; and

WHEREAS, the Otsego County Board of Commissioners appreciates the dedication and service that Larry has provided; and

WHEREAS, as a member of the Board and its Chairperson for the last 15 years, he has been the keeper of the vision and driving force to bringing higher education to Otsego County; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners is honoring Larry for his outstanding service to the County and expresses their pride in his accomplishments; and be it further

RESOLVED, that the Otsego County Board of Commissioners wishes to thank Larry for helping to steer the grass roots movement that resulted in the University Center being constructed on the Alpine Center grounds and in the promotion of a college consortium for our region. With Larry's leadership over the past 24 years, Otsego County and the surrounding region are ensured quality higher educational pursuits. With deep appreciation and gratitude, it is a privilege to recognize and honor Larry as our visionary leader.

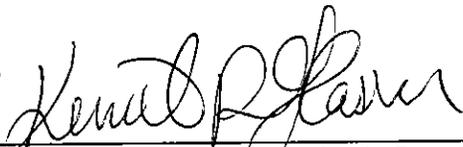
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

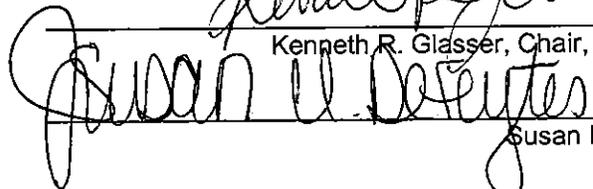
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN }
 } ss.
COUNTY OF OTSEGO }

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8th day of January, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a special meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 5th day of February, 2008 at 8:30 a.m.

PRESENT: BACKENSTOSE, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: BATES, OLSEN

The following preamble and resolution was offered by Commissioner LISS.

RESOLUTION NO. OCR 08-03
RESOLUTION TO AMEND THE OTSEGO COUNTY
FINAL 911 SERVICE PLAN
Docket U-15489
OTSEGO COUNTY BOARD OF COMMISSIONERS
February 5, 2008

WHEREAS, under the Emergency 9-1-1 Service Enabling Act (P.A. 32 of 1986, as amended), the Otsego County Board of Commissioners approved the final 9-1-1 service plan on February 5, 2008 to benefit the citizens of Otsego County by providing a uniform and well known emergency telephone number; and

WHEREAS, the Otsego County Board of Commissioners continues to believe that 9-1-1 service will benefit the citizens of Otsego County; and

WHEREAS, the State of Michigan enacted Public Act 164 of 2007 to further support 9-1-1 service in Michigan; and

WHEREAS, Otsego County has deemed it necessary to collect county-based 9-1-1 funds from communications service providers as allowed under Public Act 164 of 2007 to defray the costs of being ready to process, and of actually processing 9-1-1 calls placed within Otsego County; and

WHEREAS, Public Act 164 of 2007 allows for limited amendments to be made to the Otsego County 9-1-1 Plan through resolution by County Board of Commissioners; now, therefore, be it

RESOLVED that the Otsego County Board of Commissioners hereby adopts this amendment to Otsego County 9-1-1 plan to establish a monthly county-based 9-1-1 surcharge as permitted under P.A. 164 of 2007.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

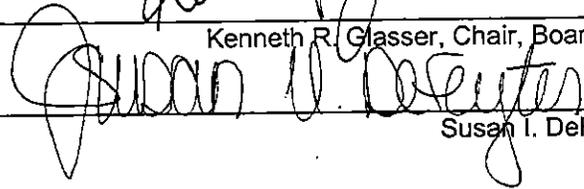
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN }
 } ss.
COUNTY OF OTSEGO }

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 5th day of February, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

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PRESENT: BACKENSTOSE, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ

ABSENT: BATES, OLSEN.

The following preamble and resolution was offered by Commissioner HYDE.

RESOLUTION NO. OCR 08-04
RESOLUTION TO ADOPT MONTHLY 9-1-1 SURCHARGE WITHIN OTSEGO COUNTY
Docket U-15489
OTSEGO COUNTY BOARD OF COMMISSIONERS
February 5, 2008

WHEREAS, under the Emergency 9-1-1 Service Enabling Act (P.A. 32 of 1986, as amended) the Otsego County Board of Commissioners approved the final 9-1-1 service plan on **February 5, 2008** to benefit the citizens of Otsego County by providing a uniform and well known emergency telephone number; and

WHEREAS, the Otsego County Board of Commissioners continues to believe that 9-1-1 service will benefit the citizens of Otsego County; and

WHEREAS, the State of Michigan enacted Public Act 164 of 2007 to further support 9-1-1 service in Michigan; and

WHEREAS, Public Act 164 of 2007 allows for the creation of a county-based local 9-1-1 surcharge on all communications service providers that can access 9-1-1 and provides for the collection, disbursement, use, and audit of said funds; and

WHEREAS, Otsego County has deemed that a monthly county-based surcharge of \$1.72 be placed on all communications service providers **beginning July 1, 2008** as allowed under Public Act 164 of 2007 is necessary to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within Otsego County, and;

WHEREAS, Public Act 164 of 2007 states that an estimated amount of anticipated annual revenue must be included within the resolution creating the monthly county-based 9-1-1 surcharge and projections by the county estimate that amount of anticipated annual revenue to be \$436,934.81 (**the anticipated amount to be collected in calendar year 2008 under this surcharge is \$223,634.40**); and

WHEREAS, Public Act 164 expires February 28, 2009, the monthly county-based surcharge will remain in effect until that time, or is otherwise changed by law; now, therefore, be it

RESOLVED, that pursuant to Public Act 164 of 2007, the Otsego County Board of Commissioners has modified the 9-1-1 Plan on **February 5, 2008** to reflect the changes in the 9-1-1 surcharges collected by Otsego County; and be it further

RESOLVED that the Otsego County Board of Commissioners hereby adopts the county-based 9-1-1 surcharge on communications devices as permitted under P.A. 164 of 2007.

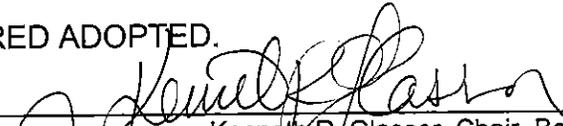
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

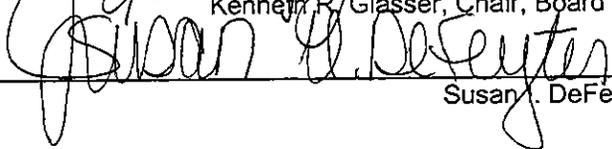
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



 Kenneth R. Glasser, Chair, Board of Commissioners



 Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN }
 } ss.
COUNTY OF OTSEGO }

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 5th day of February, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 14th day of February, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: NONE.

The following preamble and resolution was offered by Commissioner _____.

RESOLUTION NO. OCR 08-05
Chief Executive Officer

OTSEGO COUNTY BOARD OF COMMISSIONERS
February 14, 2008

WHEREAS, Resolution OCR-26-87 established the Otsego County Office of Emergency Services as the coordinating agency responsible for county-wide emergency preparedness; and

WHEREAS, Resolution OCR-26-87 establishes the powers and duties of the Chief Executive Officer of the County in times of Emergency or Disaster; and

WHEREAS, it is prudent to create a line of succession for Chief Executive Officer for such times of Emergency or Disaster; now, therefore, be it

RESOLVED, that the line of succession for Chief Executive Officer in times of Emergency or Disaster is as follows;

Chairman of the Otsego County Board of Commissioners
Vice-Chairman of the Otsego County Board of Commissioners
County Administrator

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

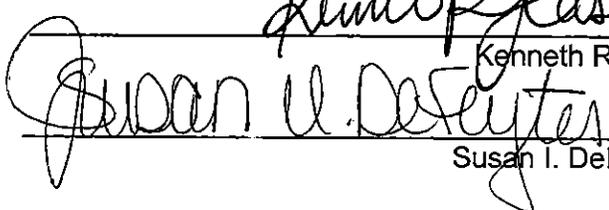
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 14th day of February, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 14th day of February, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: NONE.

The following preamble and resolution was offered by Commissioner BENTZ.

**RESOLUTION NO. OCR 08-07
Broadband Cooperative Support**

OTSEGO COUNTY BOARD OF COMMISSIONERS
February 14, 2008

WHEREAS, access to broadband internet services affects the quality of life for many of Otsego County citizens; and

WHEREAS, many rural areas in Northern Lower Michigan are without Broadband Internet services; and

WHEREAS, the lack of broadband internet service drastically effects health care, education and emergency services, as well as hinders economic development in these areas; and

WHEREAS, a diverse group of stakeholders from both the public and private sector have come together and are investigating the possibility of forming a Broadband Cooperative; and

WHEREAS, this Cooperative known as the Northern Michigan Broadband Cooperative, is seeking ways to extend broadband internet service through Northern Lower Michigan; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners supports and endorses the efforts of the Northern Michigan Broadband Cooperative in their pursuit of addressing the broadband needs of Northern Lower Michigan.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

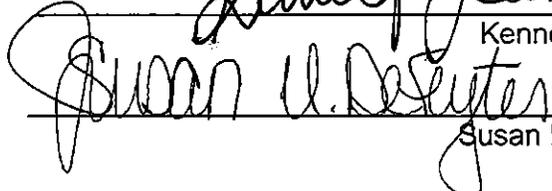
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 11th day of March 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: OLSEN.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-08
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
March 11, 2008

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 7951 Maple Street, Vanderbilt, Michigan 49795 and has a mortgage recorded in Liber 806, Pages 046-054 in the name of Leslie Hill and Doreen Hill, husband and wife and as joint tenants with full rights of survivorship; and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to Leslie Hill and Doreen Hill, husband and wife, as joint tenants with full rights of survivorship and be it further

RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

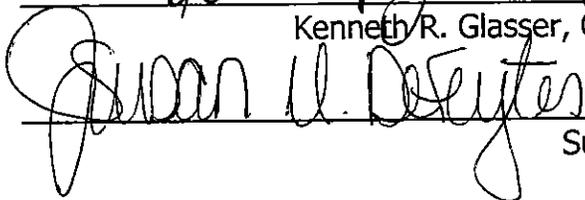
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 11th day of March, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 11th day of March 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: OLSEN

The following preamble and resolution was offered by Commissioner: LISS.

RESOLUTION NO. OCR 08-09
MARCH IS RED CROSS MONTH
OTSEGO COUNTY BOARD OF COMMISSIONERS
March 11, 2008

WHEREAS, each year during the month of March we formally recognize the American Red Cross and its essential humanitarian role in Otsego County. We honor the role of the Red Cross's contribution to making Otsego County a better place. Every day, Red Cross volunteers and employees carry out the mission by providing essential services to people in their communities with the help of generous donors in Otsego County; and

WHEREAS, for more than 90 years, Otsego County Residents have relied on the expertise of the American Red Cross in disaster relief. Each year, Otsego County volunteers respond to disasters including house or apartment fires, and other natural and human caused disasters; and

WHEREAS, The American Red Cross in Otsego County makes every effort to save lives long before tragedy strikes by helping individuals and entire communities learn to prepare for disasters. It prepares people to save lives through first aid and CPR training, water safety, and use of automated external defibrillators (AEDs) to save victims of sudden cardiac arrest. Over the past year, nearly 306 people have enrolled in American Red Cross of Health and Safety Courses in Otsego County; and

WHEREAS, under its charter, the American Red Cross is entrusted with providing volunteer aid in time of war to the sick and wounded of the armed forces. Staff members deploy with our Armed Forces to provide emergency communications and a caring presence to service men and women separated from their families. The American Red Cross in Otsego County has sent emergency messages to active duty personnel and their families, the American Red Cross also reaches out to the members of the National Guard and Reserves and their families who reside in nearly every community in Otsego County; and

WHEREAS, without the help of the American Red Cross volunteers, the American Red Cross would not be able to fulfill the humanitarian mission that is the cornerstone of the organization. We are grateful for the tireless work of the volunteers and employees of the American Red Cross in Otsego County and during the month of March, we pay tribute to this remarkable organization and all those who have answered the call to serve a cause greater than self and offered support and healing in times of need, now, therefore, be it

RESOLVED, that the Board of Commissioners, by virtue of the authority vested by the Constitution and laws of Michigan do hereby proclaim March 2008 as American Red Cross Month. Especially during this extraordinary time for our country, we encourage all Americans to support this organization's noble humanitarian mission.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

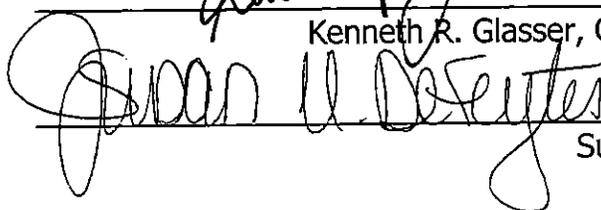
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 11th day of March, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 11th day of March, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: OLSEN.

The following preamble and resolution was offered by Commissioner HYDE.

**RESOLUTION NO. OCR 08-10
Criminal Justice Coordinating Committee**

OTSEGO COUNTY BOARD OF COMMISSIONERS
March 11, 2008

WHEREAS, the Otsego County Jail has been in use since 1967; and

WHEREAS, the Jail is consistently overcrowded; and

WHEREAS, the County formed the Citizen Jail Committee in late 2006 to study the issue; and

WHEREAS, at the request the Citizen Jail Committee, the County asked the National Institute of Corrections (NIC) to study the Otsego County Criminal Justice System; and

WHEREAS, the NIC consultants released their findings in January 2008; and

WHEREAS, the findings included a recommendation to form a permanent Criminal Justice Coordinating Committee to study Otsego County Criminal Justice System issues and make recommendations to the Otsego County Board of Commissioners on how to resolve these issues; now, therefore be it

RESOLVED, that the Otsego County Board of Commissioners creates the Criminal Justice Coordinating Committee (CJCC) in replacement of the Jail Technical Committee; and, be it further

RESOLVED, that the CJCC shall be a Select Committee comprised of 21 members, appointed by the Otsego County Board of Commissioners Chairman representing the following categories: Chief Judge, Court Administrator, Jail Administrator, Sheriff, North Country Community Mental Health Director, Catholic Human Services Director, Public Defender, County Administrator, County Finance Director, Planning Commission or Planning Department Representative, County Commissioners (3), Parole/Probation Representative, Citizen at Large, Jail Citizen Committee Chairman or Citizen at large if the Committee is not currently active, Gaylord City Police Chief, State Police Post Commander, Community Corrections Director, County Prosecutor, Township Official.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 25th day of March 2008, 9:30 a.m.

PRESENT: BATES, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: BACKENSTOSE, OLSEN.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-11
INTENT TO APPLY FOR FINANCIAL ASSISTANCE FOR FISCAL YEAR 2009 UNDER
ACT 51 OF THE PUBLIC ACTS OF 1951, AS AMENDED.

OTSEGO COUNTY BOARD OF COMMISSIONERS

March 25, 2008

WHEREAS, Pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for **OTSEGO COUNTY BUS SYSTEM (OTSEGO COUNTY)**, (hereby known as **THE APPLICANT**) established under Act 51, to provide a local transportation program for the state fiscal year of 2009 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for **THE APPLICANT** to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and (State Operating Assistance Program only)

WHEREAS, the performance indicators for this agency have been reviewed and approved by **THE APPLICANT**; and (State Operating Assistance Program only)

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balanced (surplus) budget, and funding sources of estimated federal funds \$240,368.00, estimated state funds \$543,081.00, estimated local funds \$609,851.00, estimated farebox \$109,000.00, estimated other funds \$ 0.00 , with total estimated expenses of \$1,502,300.00; now, therefore, be it

RESOLVED, that **THE APPLICANT** hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51, and be it further

RESOLVED, that the Otsego County Board of Commissioners hereby appoints Theron D. Higgins as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation commission or department for its administration of Act 51 for 2009.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

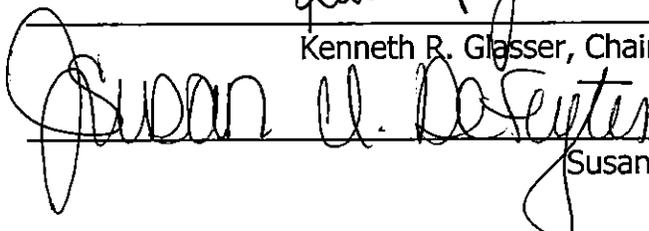
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25th day of March, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 25th day of March 2008, 9:30 a.m.

PRESENT: BATES, BEACHNAU, BENTZ, GLASSER, HYDE, JOHNSON, LISS.

ABSENT: BACKENSTOSE, OLSEN.

The following preamble and resolution was offered by Commissioner: LISS.

RESOLUTION NO. OCR 08-12
A RESOLUTION OF CONCURRENCE WITH THE 2008/2009 NORTHEAST MICHIGAN
COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)
OTSEGO COUNTY BOARD OF COMMISSIONERS
March 25, 2008

WHEREAS, Otsego County desires to improve the county economy; and

WHEREAS, the Otsego County Board of Commissioners actively supports and currently participates in the economic development district activities of the Northeast Michigan Council of Governments (NEMCOG); and

WHEREAS, the Northeast Michigan Council of Governments' Regional Economic Development Advisory Committee (REDAC) has reviewed and adopted the 2008/2009 Comprehensive Economic Development Strategy (CEDS); and

WHEREAS, concurrence with the CEDS by each county in the Region – Alcona, Alpena, Cheboygan, Crawford, Montmorency, Oscoda, Otsego and Presque Isle – does not preclude any of developing their own CEDS and allows them to retain eligibility for U.S. Economic Development Administration (EDA) funds, now, therefore, be it

RESOLVED, that Otsego County hereby adopts the 2008/2009 CEDS, because it does reflect the economic interests and concerns of the county, and be it further

RESOLVED, that Otsego County requests continued designation by the Economic Development Administration as a Redevelopment Area eligible for EDA grants, loans and other programs under the Public Works and Economic Development Act of 1965, as amended.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

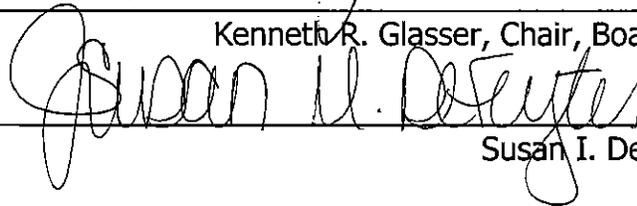
NO: NONE.

ABSTAIN: _____

THE RESOLUTION WAS DECLARED ADOPTED.



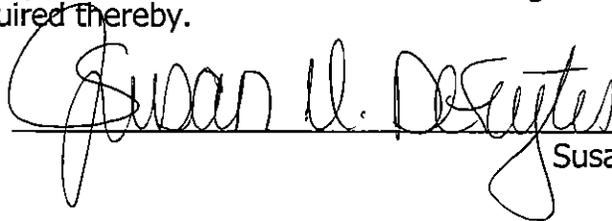
Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25th day of March, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.



Susan I. DeFeyter, County Clerk

DATED: 3-25, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 8th, day of April 2008, 9:30am.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, HYDE, BENTZ.

ABSENT: OLSEN, JOHNSON

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-13
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
April 8, 2008

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 5542 Birchway; now known as 5532 Corey Cove, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 266, Page 41 in the name of Patricia L. Peter, a single woman and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Patricia L. Peter, a single woman and be it further

RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

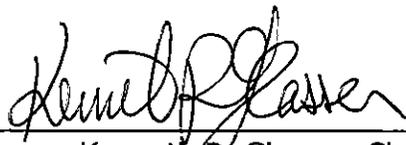
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

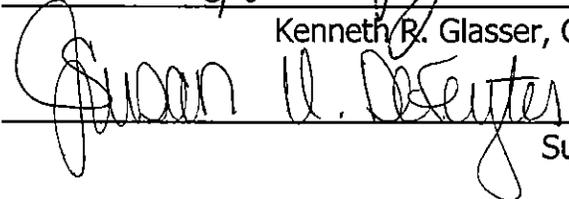
NO: UNANIMOUS.

ABSTAIN: UNANIMOUS.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8th day of April, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 8th, day of April 2008, 9:30am.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, HYDE, BENTZ.

ABSENT: OLSEN, JOHNSON.

The following preamble and resolution was offered by Commissioner: BENTZ.

RESOLUTION NO. OCR 08-14
**Resolution Approving Northwest Michigan Community
Health Agency Building Project**
OTSEGO COUNTY BOARD OF COMMISSIONERS
April 8, 2008

WHEREAS, The County is one of the constituent counties of the Northwest Michigan Community Health Agency (the "District Health Department"), a "district health department" formed by the constituent counties of Antrim, Charlevoix, Emmet and Otsego under Section 2415 of Act 368, P.A. 1978, as amended, for the purpose of providing essential public health services to residents of those counties, and

WHEREAS, The District Health Department has an urgent need for an approximately 23,900 square foot medical, dental and office facility for the provision of health care and human services to be rendered by the District Health Department and other governmental units and qualified tax exempt charitable organizations for related purposes (the "Project"), and

WHEREAS, Land presently owned by the County specifically described in EXHIBIT A hereto (the "Land"), together with an existing approximately 15,000 square foot building situated on the Land (the "Existing Building") have been identified as a desirable site (the Land and Building are hereafter referred to as the "Site") for the Project (consisting of the Site together with an approximately 8,900 square foot addition (the "Building Addition") to be constructed thereon), and the County has indicated its willingness to lease or convey the Site to NHF Sub Charlevoix, a Michigan nonprofit corporation, for purposes of the Project (subject to certain reversionary rights of the County), and

WHEREAS, It is proposed that:

- (i) NHF Sub Charlevoix will issue tax-exempt obligations on behalf of the County in a principal amount not to exceed \$1,300,000 (the "Bonds"), the proceeds of which will be used for the acquisition and development of the Building Addition.
- (ii) NHF Sub Charlevoix will lease the Project to the District Health Department for a term of up to twenty-one (21) years, the lease payments being fixed in amounts sufficient for NHIF Sub Charlevoix to pay the principal of and interest on the Bonds as such amounts become due, together with reasonable administrative expenses.
- (iii) The Building Addition will be used by the District Health Department as a dental clinic and as a maternity and child health clinic, and the Existing Building will be used by the District Health Department as a public health clinic, with a minor portion thereof to be used by governmental or private charitable health and human services organizations for

related purposes, including the Commission on Aging and Project Head Start; now, therefore, be it

RESOLVED, The health care and human services provided by the District Health Department and other governmental or charitable organizations in need of medical, dental and office facilities constitute an essential public purpose of benefit to the health and welfare of the residents of the County, and be it further

RESOLVED, The Board approves the nonprofit purposes and activities of NHF Sub Charlevoix, set forth in its Articles of Incorporation, as amended, attached hereto as Exhibit D, including the development of the Building Addition and the lease of the Project to the District Health Department for the purposes set forth in the Recitals for a term of up to twenty-one (21) years. NHF Sub Charlevoix is incorporated by private nonprofit, charitable public health interests, is not an agent or instrumentality of the County, and shall operate independently of any control by the County, and be it further

RESOLVED, The County shall either convey title to the Site to NHF Sub Charlevoix subject to the provisions for reversion of title of the Project to the County as set forth in EXHIBIT B hereto, or lease the Site to NHF Sub Charlevoix pursuant to a lease (the "Lease") with substantially the applicable terms previously approved by the County on October 8, 1991 set forth in the Ground Lease between the County and NHF Sub Otsego, a Michigan nonprofit corporation, dated September 23, 1992, recorded in the Otsego County Records on December 1, 1992, at Liber 521 pages 552-560, which terminated on or about August 2007 (the "Otsego Ground Lease"), and be it further

RESOLVED, The Board of County Commissioners hereby authorizes the Chairperson of the Board and the County Clerk to execute a deed (or, in the event the Site is leased to NHF Sub Charlevoix, the Lease which contains substantially the same applicable terms as the Otsego Ground Lease, as determined by the Chairperson of the Board) and a Subordination Agreement subordinating the reversion rights of the County (or, in the event of a lease, the County's rights under the Lease) to the claims of the holder of the Bonds (the "Bondholder") until the indebtedness represented by the Bonds issued on behalf of the of the County for the acquisition and development of the Building Addition are paid in full, and be it further

RESOLVED, The Board of County Commissioners approves of the issuance of tax-exempt obligations of NHF Sub Charlevoix on behalf of the County in a principal amount not to exceed \$1,300,000, for the purpose of financing the acquisition and development of the Building Addition, which Bonds shall be issued no later than one (1) year from the date hereof, upon substantially the terms set forth in EXHIBIT C hereto, The County's approval of the issuance by NHF Sub Charlevoix of the Bonds is only to the extent required in order for such debt obligations to be deemed to be issued "on behalf of the County for purposes of Section 103 of the Internal Revenue Code of 1986, as amended, and, for no other purposes. The Bonds and the interest thereon shall be non-recourse obligations of NHF Sub Charlevoix, payable solely from the lease payments from the District Health Department and secured by a mortgage (or leasehold mortgage) on the Project and an assignment of such lease payments. The Bonds shall never constitute general obligations of the County within the meaning of any constitutional, statutory or charter provision or limitation, and shall never constitute or give rise to a debt or liability of the County or a charge against the general credit or taxing power of the County. The County disclaims any financial responsibility for repayment of the Bonds, which are to be primarily secured by lease payments made by the District Health Department

to NHF Sub Charlevoix, and be it further

RESOLVED, Upon retirement of the indebtedness represented by the Bonds, the County shall accept title to the Project (or the Lease shall terminate) and the property financed by the Bonds (including the Building Addition and any other additions to the Project) from NHF Sub Charlevoix, pursuant to the County's rights of reversion set forth on EXHIBIT B hereto. The reversion of title of the Project to the County after the retirement of the Bonds shall be as partial consideration, together with the use of the Site and the Project for the provision of essential health and human services in the County, for conveyance of the Site by the County to NHF Sub Charlevoix for the acquisition and development of the Building Addition, and be it further

RESOLVED, The County hereby designates the Bonds in the maximum principal amount of \$1,300,000 as "qualified tax-exempt obligations" for purposes of the deduction of interest expense by financial institutions under Section 265 of the Internal Revenue Code of 1986, as amended. Such designation is based upon the reasonable expectation that the aggregate principal amount of the Bonds and all other tax-exempt obligations (other than private activity bonds as defined in Section 141 of the Code) which will be issued during calendar year 2008 by the County (including obligations of all other entities which issue obligations on behalf of the County and all subordinate entities of the County) will not in the aggregate exceed \$10,000,000, and be it further

RESOLVED, All resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution be and they are hereby rescinded.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

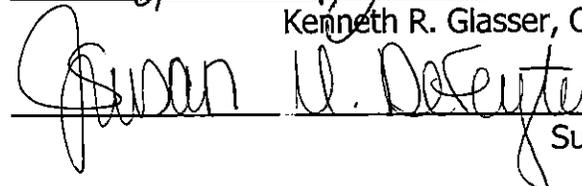
NO: UNANIMOUS.

ABSTAIN: UNANIMOUS.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyer, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8th day of April, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

EXHIBIT A - LEGAL DESCRIPTION

A parcel of land on part of the SW 1/4 of Section 27, T31N-R3W, Livingston Township, Otsego County, Michigan, described as commencing at the SW corner of said Section 27; thence S89°22'16"E, 850.00' along the South line of said Section 27; thence N00°37'44"E, 388.36' to the POINT OF BEGINNING; thence continuing N00°37'44"E, 234.66'; thence along the South line of 80' easement for ingress and egress the following two (2) courses: 1) N86°50'54"E, 327.50'; 2) 247.76' along a curve to the left, said curve having a radius of 512.54', a Long Chord of 245.35' Bearing N73°00'01"E; thence S00°35'45"W, 330.56'; thence N89°22'16"W, 560.81' to the Point of Beginning, containing 3.36 *acres* more or less and being subject to an easement for the construction, operation and maintenance of water lines in, on, under, over, upon and across premises described as;

"A strip of land in the SW 1/4 of Sec. 27, T 31 N, R 3 W Livingston Township, Otsego County, Michigan, lying 15 feet either side of a line described as commencing at the SW corner of Sec. 27, T 31 N, R 3 W; and proceeding thence E 665.91 feet along the S line of said Sec. 27; thence N 33.00 feet to the point of beginning of this easement; thence N 165.06 feet; thence N 52°14'39"E 392.60 feet; thence N 41°45'44"E 215.36 feet; thence S 75°34'40"E 344.62 feet to a point 15 feet W of the NW corner of the Cheboygan-Otsego-Presque Isle Intermediate School District structure; thence S 0°2'13"E 140.00 feet parallel to the W'ly wall of said structure to the point of ending."

Being together with an 80' easement for purposes of ingress-egress and public utilities over and across a parcel of land described as lying 40' either side of a line described as commencing at the SW corner of said Section 27; thence N00°01'03"E, 600.41' along the West line of said Section 27 and centerline of Highway US 27; thence N86°16'49"E, 100.21' to the POINT OF BEGINNING of this easement; thence continuing N86°16'49"E, 518.05'; thence N86°50'54"E, 565.31'; thence 281.68' along a curve to the left, said curve having a radius of 472.54', a Long Chord of 277.48', Bearing N68°46'29"E; thence N86°55'16"E, 185.47'; thence 231.18' along a curve to the left, said curve having a radius of 143.12', a Long Chord of 206.85', Bearing N40°38'48"E; thence N05°37'40"W, 95.96'; thence N16°04'06"E, 62.25' to the point of ending.

(NOTE: °denotes degrees)

EXHIBIT B - RIGHTS OF COUNTY

UNENCUMBERED TITLE TO AND EXCLUSIVE POSSESSION OF THE PROJECT (INCLUDING THE PROPERTY FINANCED BY BONDS TO BE ISSUED BY THE GRANTEE AND ANY ADDITIONS THERETO) SHALL VEST IN THE COUNTY UPON THE OCCURRENCE OF ANY OF THE FOLLOWING, WITHOUT ANY DEMAND OR FURTHER ACTION ON THE PART OF THE COUNTY:

1. Commencement of the Project does not commence prior to June 30, 2009, or completion of the construction of the Project does not occur prior to June 30, 2010.
2. The Project is not being used on a regular basis for functions of the District Health Department (*or* any successor entity of the District Health Department providing substantially the same services), or related functions of governmental or Section 501(c)(3) organizations.
3. The District Health Department is dissolved.
4. Upon payment by NHP Sub Charlevoix of the full indebtedness represented by the Bonds.
5. The County shall have either prepaid the principal of and interest on the Bonds accrued to the date of prepayment, or shall have provided for the payment of the principal of and interest on the Bonds by irrevocably depositing in escrow Government Obligations maturing as to principal and interest in such amounts and at such times as will insure the availability of sufficient moneys to make such payment, and the County shall have paid all necessary and proper fees and expenses incident to such prepayment or defeasance. "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or any agency or instrumentality thereof when such obligations are backed by the full faith and credit of the United States.

PROVIDED, HOWEVER, THE RIGHTS OF THE COUNTY ARE SUBJECT AND SUBORDINATE TO THE CLAIMS OF THE BONDHOLDER UNTIL THE INDEBTEDNESS REPRESENTED BY THE BONDS ISSUED ON BEHALF OF THE COUNTY FOR THE BUILDING ADDITION ARE PAID IN FULL.

EXHIBIT C

Principal Amount: Not to exceed \$1,300,000.

Interest Rate: Initial interest rate not to exceed 5% (subject to periodic adjustments based on an independent index as negotiated with the Bondholder).

Maturity Date/Amortization Schedule: Not later than twenty-one (21) years from the date the Bonds are issued. Additional bonds issued to finance improvements or additions to the Project or to refund the Bonds or any additional bonds must be discharged no later than the latest maturity date of the Bonds, regardless of whether the Bonds are callable at an earlier date. The maturity date of the Bonds or any other obligations of NHF Sub Charlevoix with respect to the Project may not be extended beyond the latest maturity date of the Bonds, regardless of whether the Bonds are callable at an earlier date.

Purposes: To finance the acquisition and development of an approximately 8,900 square foot building addition to an existing public health building for lease to the District Health Department and other governmental units and charitable organizations at rates not in excess of fair rental value, and to pay costs relating to the issuance of the Bonds. All proceeds of the Bonds (net of the costs of issuance) shall be used for the acquisition of tangible real and tangible personal property. Proceeds may not be used for working capital.

Security:

1. Mortgage (or leasehold mortgage) on the Project
2. Assignment of Leases
3. Bonds non-recourse as to both NHF Sub Charlevoix and the County

Prepayment: The terms and conditions of prepayment of the Bonds by the Issuer shall be mutually agreeable to the Issuer and the Bondholder.

Rights of County upon Event of Default: Upon the failure by NHF Sub Charlevoix to pay the principal of or interest on the Bonds or upon any other event constituting an event of default under the Bonds giving rise to acceleration of the Bonds, the County shall have an exclusive option to purchase the property financed by the Bonds (including any additions to such property) for the amount of the outstanding indebtedness and accrued interest to the date of default, which option shall be exercisable for a period of at least 90 days following such default. In the event the County exercises such option, the County shall have a period of at least 90 days from the date of such exercise to purchase the property.

Rights of the County to Prepay and Defeasance Bonds: The County shall have the right to prepay or to defease the Bonds. Upon such prepayment or defeasance, title to the Project shall revert to the County and all leases, management contracts and encumbrances (other than certain permitted encumbrances) shall terminate, and any users of the property shall vacate within 90 days, subject to the right (but without any obligation) of the County to enter into a new lease agreement with users of the property.

Insurance: Proceeds of fire or other casualty insurance policies received in connection with damage to or destruction of the property financed by the Bonds, including any additions to the property, will, subject to the claim of the Bondholder, (a) be used to reconstruct the property, regardless of whether the insurance proceeds are sufficient to pay for reconstruction or (b) remitted to the County.

Estimates of Fair Market Value and Useful Life: (1) A reasonable estimate of the fair market value of the property on the latest maturity date of the Bonds, regardless of whether the Bonds are callable at an earlier date, is equal to at least 20% of the original cost of the property financed by the Bonds (determined without regard to any addition to the property or any increase or decrease for inflation during the term of the Bonds), and (2) a reasonable estimate of the remaining useful life of the property on the latest maturity date of the Bonds, regardless of whether the Bonds are callable at an earlier date, is the longer of one year or 20% of the originally estimated useful life of the property financed by the Bonds.

EXHIBIT D

ARTICLES OF INCORPORATION, AS AMENDED, OF NHF SUB CHARLEVOIX

| MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES | | | | | | | | | | | | | | | | | | | |
|--|--|----------|--|--|-----------------|---------------------|--|---------|--|--|----------------------------------|--|--|------|-------|----------|------------------|----|-------|
| Date Received | (FOR BUREAU USE ONLY) | | | | | | | | | | | | | | | | | | |
| | This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document. | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3" style="padding: 2px;">Name</td> </tr> <tr> <td style="padding: 2px;">Bowden V. Brown</td> <td colspan="2" style="padding: 2px;">Dykema Gossett PLLC</td> </tr> <tr> <td colspan="3" style="padding: 2px;">Address</td> </tr> <tr> <td colspan="3" style="padding: 2px;">39577 Woodward Avenue, Suite 300</td> </tr> <tr> <td style="padding: 2px;">City</td> <td style="padding: 2px;">State</td> <td style="padding: 2px;">ZIP Code</td> </tr> <tr> <td style="padding: 2px;">Bloomfield Hills</td> <td style="padding: 2px;">MI</td> <td style="padding: 2px;">48301</td> </tr> </table> | | Name | | | Bowden V. Brown | Dykema Gossett PLLC | | Address | | | 39577 Woodward Avenue, Suite 300 | | | City | State | ZIP Code | Bloomfield Hills | MI | 48301 |
| Name | | | | | | | | | | | | | | | | | | | |
| Bowden V. Brown | Dykema Gossett PLLC | | | | | | | | | | | | | | | | | | |
| Address | | | | | | | | | | | | | | | | | | | |
| 39577 Woodward Avenue, Suite 300 | | | | | | | | | | | | | | | | | | | |
| City | State | ZIP Code | | | | | | | | | | | | | | | | | |
| Bloomfield Hills | MI | 48301 | | | | | | | | | | | | | | | | | |
| <p style="font-size: small;">↶ Document will be returned to the name and address you enter above. ↷ If left blank document will be mailed to the registered office.</p> | | | | | | | | | | | | | | | | | | | |
| EFFECTIVE DATE: | | | | | | | | | | | | | | | | | | | |

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

For use by Domestic Profit and Nonprofit Corporations

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

| | |
|---|--------------------|
| 1. The present name of the corporation is: | NHF SUB CHARLEVOIX |
| 2. The identification number assigned by the Bureau is: | 846-379 |

| |
|---|
| <p>3. Article <u>II (third paragraph)</u> of the Articles of Incorporation is hereby amended to read as follows:</p> <p>To fulfill the urgent need of the Northwest Michigan Community Health Agency and its constituent counties of Antrim, Charlevoix, Emmet and Otsego for facilities to house medical, dental and office operations for the purpose of providing essential public health services to residents of those counties to be rendered by the Northwest Michigan Community Health Agency and other governmental units and nonprofit, charitable organizations.</p> |
|---|

COMPLETE ONLY ONE OF THE FOLLOWING:

4. Profit or Nonprofit Corporation: For amendments adopted by unanimous consent of incorporators before the first meeting of the board of directors or trustees.

The foregoing amendment to the Articles of Incorporation was duly adopted on the _____ day of _____, _____, in accordance with the provisions of the Act by the unanimous consent of the incorporator(s) before the first meeting of the Board of Directors or Trustees.

Signed this _____ day of _____, _____

(Signature)

(Signature)

(Type or Print Name)

(Type or Print Name)

(Signature)

(Signature)

(Type or Print Name)

(Type or Print Name)

5. Profit Corporation Only: Shareholder or Board Approval

The foregoing amendment to the Articles of Incorporation proposed by the board was duly adopted on the _____ day of _____, _____, by the: (check one of the following)

- shareholders at a meeting in accordance with Section 611(3) of the Act.
- written consent of the shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) of the Act. Written notice to shareholders who have not consented in writing has been given. (Note: Written consent by less than all of the shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the shareholders entitled to vote in accordance with Section 407(2) of the Act.
- board of a profit corporation pursuant to section 611(2) of the Act.

Profit Corporations and Professional Service Corporations

Signed this _____ day of _____, _____

By _____
(Signature of an authorized officer or agent)

(Type or Print Name)

6. Nonprofit corporation only: Member, shareholder, or board approval

The foregoing amendment to the Articles of Incorporation was duly adopted on the _____ day of
February, 2008 by the (check one of the following)

Member or shareholder approval for nonprofit corporations organized on a membership or share basis

- members or shareholders at a meeting in accordance with Section 611(2) of the Act.
- written consent of the members or shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to members or shareholders who have not consented in writing has been given. (Note: Written consent by less than all of the members or shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the members or shareholders entitled to vote in accordance with section 407(3) of the Act.

Directors (Only if the Articles state that the corporation is organized on a directorship basis)

- directors at a meeting in accordance with Section 611(2) of the Act.
- written consent of all directors pursuant to Section 525 of the Act.

| | |
|--|--|
| Nonprofit Corporations | |
| Signed this _____ day of <u>February</u> , <u>2008</u> | |
| By _____ <small>(Signature of President, Vice-President, Chairperson or Vice-Chairperson)</small> | |
| <u>John D. Bruning</u> <small>(Type or Print Name)</small> | <u>President</u> <small>(Type or Print Title)</small> |

Name of person or organization remitting fees:

Bowden V. Brown, Dykema Gossett PLLC

Preparer's name and business telephone number:

Bowden V. Brown

(248) 203-0800

INFORMATION AND INSTRUCTIONS

- This form may be used to draft your Certificate of Amendment to the Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
- Submit one original of this document. Upon filing, the document will be added to the records of the Bureau of Commercial Services. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.

Since the document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
- This Certificate is to be used pursuant to the provisions of section 631 of Act 284, P.A. of 1972, or Act 162, P.A. of 1982, for the purpose of amending the Articles of Incorporation of a domestic profit corporation or nonprofit corporation. Do not use this form for restated articles.
- Item 2 - Enter the identification number previously assigned by the Bureau. If this number is unknown, leave it blank.
- Item 3 - The article(s) being amended must be set forth in its entirety. However, if the article being amended is divided into separately identifiable sections, only the sections being amended need be included.
- If the amendment changes the term of existence to other than perpetual, all nonprofit corporations except churches must obtain a consent to dissolution, or a written statement that the consent is not required, from the Michigan Attorney General, Consumer Protection and Charitable Trusts Division, P.O. Box 30214, Lansing, MI 48909, (517) 373-1152. Application for the consent should be made at least 45 days before the desired effective date of the dissolution. This certificate cannot be filed unless it is accompanied by the consent or written statement.
- This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
- Signatures:**
Profit Corporations: (Complete either Item 4 or Item 5)
1) Item 4 must be signed by at least a majority of the incorporators listed in the Articles of Incorporation.
2) Item 5 must be signed by an authorized officer or agent of the corporation.

Nonprofit Corporations: (Complete either Item 4 or Item 6)
1) Item 4 must be signed by all of the incorporators listed in the Article of Incorporation.
2) Item 6 must be signed by either the president, vice-president, chairperson or vice-chairperson.
- FEES:** Make remittance payable to the State of Michigan. Include corporation name and identification number on check or money order.

NONREFUNDABLE FEE: \$10.00

ADDITIONAL FEES DUE FOR INCREASED AUTHORIZED SHARES OF PROFIT CORPORATIONS ARE:

| <u>Amount of Increase</u> | <u>Fee</u> |
|---------------------------|---|
| 1-60,000 | \$50.00 |
| 60,001-1,000,000 | \$100.00 |
| 1,000,001-5,000,000 | \$300.00 |
| 5,000,001-10,000,000 | \$500.00 |
| More than 10,000,000 | \$500.00 for first 10,000,000 plus \$1000.00 for each additional 10,000,000, or portion thereof |

To submit by mail:

Michigan Department of Labor & Economic Growth
Bureau of Commercial Services - Corporation Division
P.O. Box 30054
Lansing, MI 48909

To submit in person:

2501 Woodlake Circle
Okemos, MI
Telephone: (517) 241-6470

Fees may be paid by VISA or Mastercard when delivered in person to our office.

MICH-ELF (Michigan Electronic Filing System):

First Time Users: Call (517) 241-6470, or visit our website at <http://www.michigan.gov/corporations>
Customer with MICH-ELF Filer Account: Send document to (517) 636-6437

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

New expedited services beginning January 1, 2006.

Expedited review and filing, if fileable, is available for all documents for profit corporations, limited liability companies, limited partnerships and nonprofit corporations.

The expedited service fees are in addition to the regular fees applicable to the specific document:

Please complete a separate BCS/CD-272 form for expedited service for each document via in person, mail and MICH-ELF.

24-hour service- \$50 for formation documents and applications for certificate of authority.

24-hour service-\$100 for any document concerning an existing entity.

Same day service

- **Same day- \$100 for formation documents and applications for certificate of authority.**

Same day- \$200 for any document concerning an existing entity
Review completed on day of receipt. Document and request for same day expedited service must be received by 1 p.m. EST or EDT.

- **Two hour- \$500**

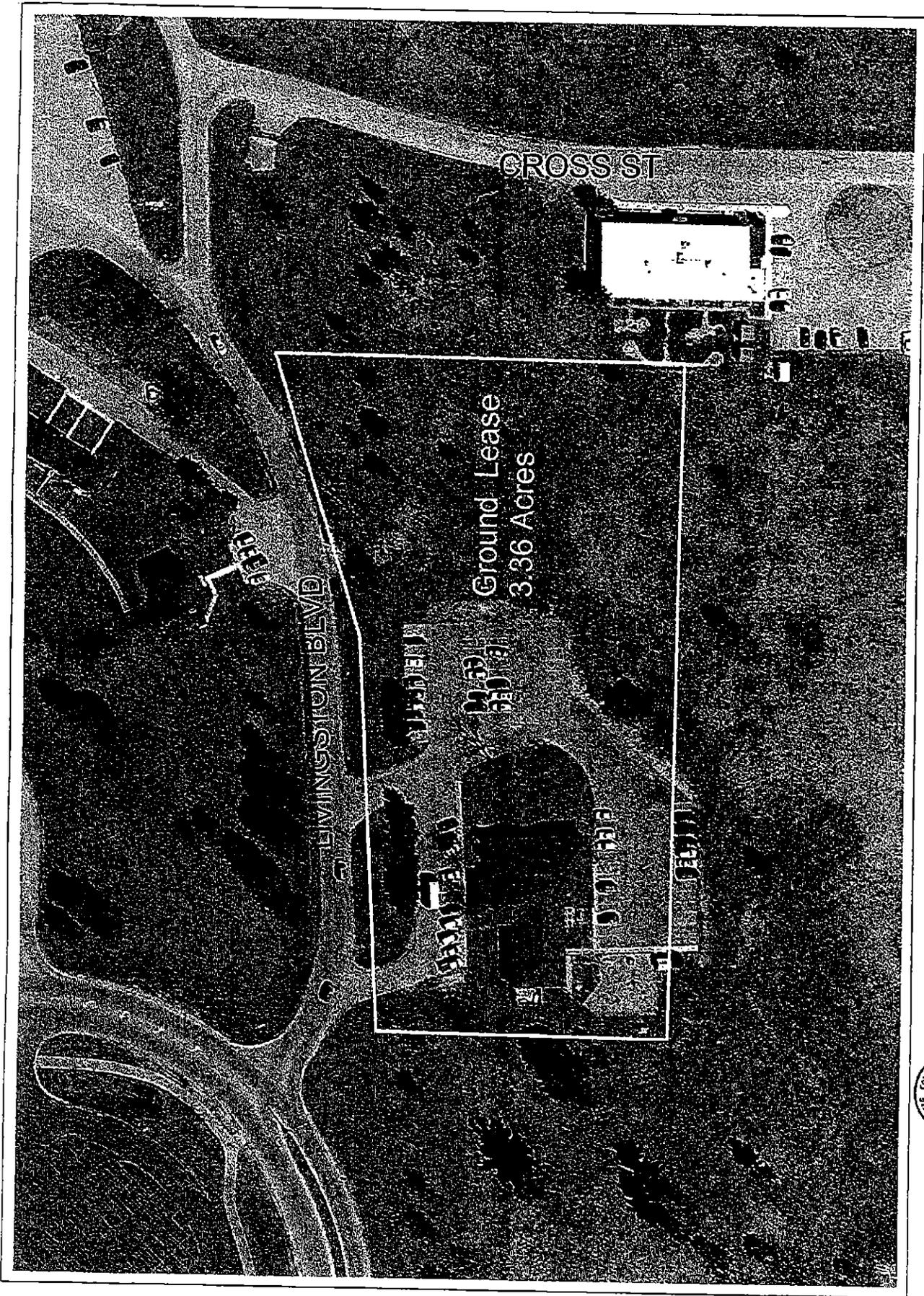
Review completed within two hours on day of receipt. Document and request for two hour expedited service must be received by 3 p.m. EST or EDT.

- **One hour- \$1000**

Review completed within one hour on day of receipt. Document and request for 1 hour expedited must be received by 4 p.m. EST or EDT.

First time MICH-ELF user requesting expedited service must obtain a MICH-ELF filer number prior to submitting a document for expedited service. BCS/CD-901

Changes to information on MICH-ELF user's account must be submitted before requesting expedited service. BCS/CD-901



Alpine Center
Scale: 1" = 100'



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 13th, day of May 2008, 9:30am.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-15
Proclaiming National Police Week & Police Memorial Day

OTSEGO COUNTY BOARD OF COMMISSIONERS
May 13, 2008

WHEREAS, The Congress of the United States of America has designated the week of May 11th to be dedicated as "NATIONAL POLICE WEEK" and May 15th of each year to be "POLICE MEMORIAL DAY"; and

WHEREAS, The members of law enforcement agencies protect life and property throughout the County of Otsego and play an essential role in safeguarding the rights and freedoms of our citizens; and

WHEREAS, The County of Otsego desires to honor the valor, service and dedication of its own SHERIFF DEPUTIES, especially those who have given their lives in the line of duty; and

WHEREAS, The County of Otsego further desires to recognize and appreciate the duties, hazards, and sacrifices of law enforcement personnel; and

WHEREAS, The Board of Commissioners calls upon the citizens of Otsego County to take a moment on May 15th, to remember those fallen officers who made the ultimate sacrifice for their fellow man; now, therefore, be it

RESOLVED, that we proclaim the week of MAY 11TH to MAY 17TH to be "POLICE WEEK" and call upon all our citizens in this community to especially honor and show our sincere appreciation for the SHERIFF DEPUTIES of this County by deed, remark and attitude; and be it further

RESOLVED that the flags be flown at half-staff on MAY 15TH in honor of Deputy Carl L. Darling, Jr., who gave his life in the line of duty on May 3, 1986; Sergeant Larry C. Washburn, who died while on duty on May 15, 1994 and Deputy John K. Gunseli, who died in the line of duty on September 12, 2004.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

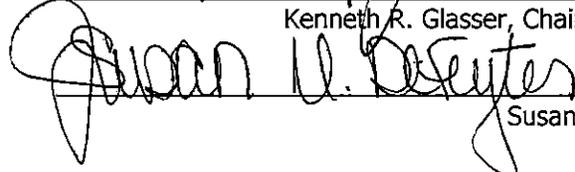
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners


Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)

) ss.

COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 13th day of May, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 13th day of May, 2008, at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ

The following preamble and resolution was offered by Commissioner BACKENSTOSE.

RESOLUTION NO. OCR 08-16

A RESOLUTION TO APPROVE THE BALLOT LANGUAGE FOR A
MILLAGE PROPOSITION TO PROVIDE FUNDS FOR THE
OPERATION AND MAINTENANCE OF THE OTSEGO COUNTY LIBRARY
AND TO SUBMIT THE PROPOSITION TO THE ELECTORATE
IN THE PRIMARY ELECTION ON AUGUST 5, 2008

OTSEGO COUNTY BOARD OF COMMISSIONERS
May 13, 2008

WHEREAS, Otsego County currently operates and maintains a county library and employs individuals to carry out the functions of the county library for the benefit of county residents and others visiting the county; and

WHEREAS, the funds to operate and maintain the county library are currently provided by a millage of 0.40 mills previously approved by the county electors; and

WHEREAS, the millage previously approved by the county electors to operate and maintain the county library expires on December 1, 2008; and

WHEREAS, the Otsego County Board of Commissioners wishes to again obtain voter approval for the same millage amount (0.40 mills) to provide funds for operating and maintaining the county library; and

WHEREAS, the Otsego County Board of Commissioners wishes to submit this millage proposition to the county electors at the primary election to be held on August 5, 2008; now

THEREFORE BE IT RESOLVED, that the following proposition, the language of which is hereby approved by the Otsego County Board of Commissioners and certified to the Otsego County Clerk, shall be submitted to the electors of Otsego County for a vote at the August 5, 2008 primary election.

BALLOT LANGUAGE

OTSEGO COUNTY

This proposal is a continuation of the previously approved millage and will permit the County to levy up to 40/100 of one mill (\$0.40 per \$1,000.00 of taxable valuation) to provide funds for the operation and maintenance of the county library.

Shall the tax limitation imposed under Article IX, Section 6 of the Michigan Constitution on the amount of taxes which may be imposed by the County of Otsego against real and tangible personal property in the County be increased by up to 40/100 of one mill (\$0.40 per \$1,000.00 of taxable

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 27th day of May, 2008, at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: NONE.

The following preamble and resolution was offered by Commissioner BENTZ.

RESOLUTION NO. OCR 08-17
DISTRICT COURT REORGANIZATION SUPPORT

OTSEGO COUNTY BOARD OF COMMISSIONERS
May 27, 2008

WHEREAS, the Probate Judges of Crawford and Kalkaska Counties have statutory District Court authority; and

WHEREAS, those judges handle all District Court cases in their respective counties and 87th District Court Judge Patricia A. Morse handles cases only in Otsego County; and

WHEREAS, the court staff of the district court is allocated and funded based on county lines and no longer a shared expense; and

WHEREAS, the Otsego County Board of Commissioners passed Resolution OCR 06-50 on November 9, 2006, requesting that the State Court Administrator seek legislation to reorganize the 87th District Court into three separate district courts; and

WHEREAS, Senate Bill No. 435 has been introduced in the Michigan State Legislature, which would create separate districts for Otsego County, Crawford County, and Kalkaska County; and

WHEREAS, Senate Bill No. 435 requires Otsego County, the district funding unit, to approve of the reformation via resolution; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners approves the reformation of the eighty-seventh district to consist of the county of Otsego with 1 district judgeship and that this approval constitutes an exercise of the district funding unit Otsego County's option to provide a new activity or service, to increase the level of activity or service offered in the district funding unit Otsego County beyond that required by existing law, as the elements of this option are defined by 1979 PA 101, MCL21.231 to 21.244, and is a voluntary acceptance by the district funding unit Otsego County of all expenses and capital improvements that may result from reformation of the district. Otsego County understands that the exercise of this option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district funding unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER
JOHNSON, HYDE.

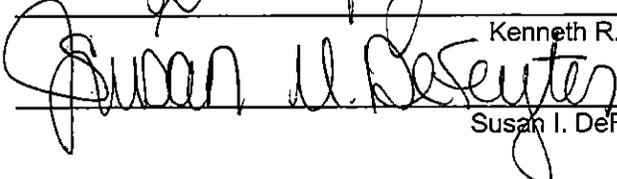
NO: BENTZ.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 27th day of May, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 24th day of June, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: BEACHNAU

**RESOLUTION NO. OCR 08-18
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
JUNE 24, 2008**

SUBMISSION OF MOTORCYCLE SAFETY GRANT

WHEREAS, the Otsego County Board of Commissioners wishes to apply to the State of Michigan through the Department of Management and Budget, Motorcycle Safety Program Grant; and

WHEREAS, the Otsego County Board of Commissioners has chosen to submit a grant application for the purchase of one (1) Yamaha TW200 at \$3,411 each and one (1) Suzuki GZ250 at \$2,860 each training motorcycles, grant total of \$6,271 in 2008; now, therefore, be it

RESOLVED, that Marlene K. Hopp, the Otsego County Grant Administrator, Rachel Frisch, Otsego County Finance Director and Tim McPherson, Program Coordinator be authorized to sign and submit grant documents.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS

YES: UNANIMOUS.

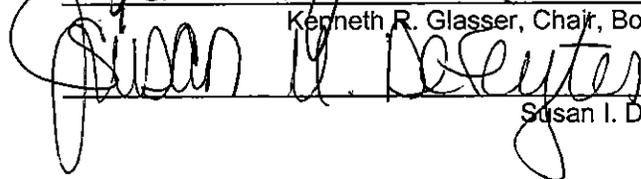
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 8th, day of July 2008, 9:30am.

PRESENT: Backenstose, Bates, Beachnau, Liss, Olsen, Glasser, Johnson, Hyde.

ABSENT: Bentz.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-19
AUTHORIZING RESOLUTION

OTSEGO COUNTY BOARD OF COMMISSIONERS
July 8, 2008

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 4705 West Otsego Lake Dr; and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 472, Page 840, re-recorded for corrections, in Liber 524, Page 216, and Liber 525, Page 543, in the name Mary Jo Nawrot, a single woman and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Mary Jo Nawrot, a single woman and be it further

RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

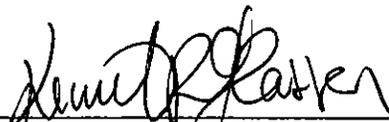
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: Unanimous.

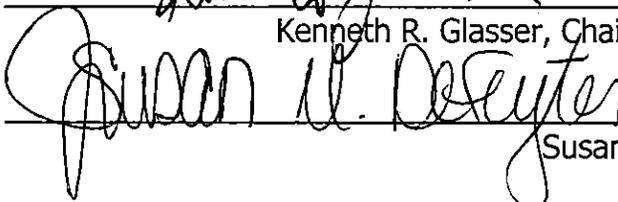
NO: None.

ABSTAIN: None.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 8th day of July, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner BEACHNAU.

**RESOLUTION NO. OCR 08-20
Proclaiming July 13-19, 2008 as
"Road Rage Awareness Week"**

Otsego County Board of Commissioners
July 8, 2008

WHEREAS, Reaching Out Against Road Rage (R.O.A.R.R.), a non-profit (501c3 tax exempt) organization located in Muskegon County, has a mission, which consists of the three P's: **prevention** of Road rage; **protection** and support of victims against Road Rage; and the **promotion** of life by saving lives; and

WHEREAS, to achieve this mission R.O.A.R.R. is promoting awareness and education on the prevention of Road Rage; working in an effort to reduce the number of incidents; and advocate support and assistance to victims and their families in their recovery process; and

WHEREAS, The National Highway Traffic and Safety Administration (NHTSA) defines Road Rage as "an assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of another motor vehicle or an assault precipitated by an incident that occurred on a roadway"; and

WHEREAS, a study done by the AAA Foundation indicates an average of at least 1,500 men, women, and children are injured or killed each year in the United States from the violent acts of Road Rage; and

WHEREAS, R.O.A.R.R., understands that to solve a problem, we must first be aware of the problem. Road Rage is a growing problem in Michigan as well as in our country; and

WHEREAS, R.O.A.R.R. recognizes that young and older drivers face danger because of rage in other drivers and themselves; and

WHEREAS, we must stop the killing, injuries, and mental anguish; we must work together as a community; and reprogram the destructive attitudes and behaviors that cause Road Rage, now, therefore, be it,

RESOLVED, that the organization R.O.A.R.R. Board of Directors, Kay Shabazz, President, and other individuals and organizations are partnered in a "Road Rage Awareness Campaign" to bring closure to the escalating Road Rage problem; and be it further

RESOLUTION 08-21

Upon motion made by Commissioner Clark Bates, seconded by _____ the following Resolution was adopted:

"RESOLVED, that the County of Otsego, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources and that the County agrees, but not by way of limitation, as follows:

1. To appropriate the sum of Forty-nine Thousand Four Hundred Forty-five dollars and forty cents (\$49,445.40) to match the One Hundred Forty-three Thousand Five Hundred Sixty-seven dollars (\$143,567) State grant authorized by the Department.

2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and federal regulations. Otsego County Parks

5. To establish and appoint the and Recreation Commission to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the County pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.

7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution."

The following aye votes were recorded: 7

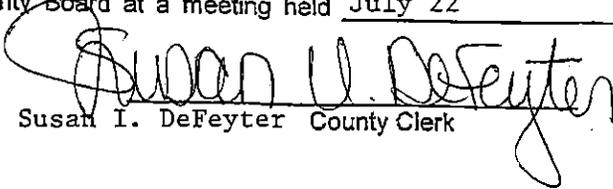
The following nay votes were recorded: 0

STATE OF MICHIGAN)

COUNTY OF OTSEGO)

I, Susan I. DeFeyter, Clerk of the County of Otsego, Michigan, certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which was adopted by the County Board at a meeting held July 22, 2008.

Dated: 7/23/08


Susan I. DeFeyter County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held at the Bagley Township Hall, at 2946 Old 27, Gaylord, Michigan on the 22nd day of July, 2008 at 7:00 p.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, JOHNSON, BENTZ.

ABSENT: GLASSER, HYDE.

The following preamble and resolution was offered by Commissioner BACKENSTOSE.

RESOLUTION NO. OCR 08-22
Resolution of Recognition for Christopher Knight

Otsego County Board of Commissioners
July 22, 2008

WHEREAS, Christopher Knight began maintaining Otsego County's website in March of 2005; and

WHEREAS, Christopher spent many hours towards the maintenance and updates to the County website; and

WHEREAS, Christopher always provided prompt service to the County; and

WHEREAS, Otsego County wishes to thank Christopher for his dedication and service over the past three years; now, therefore be it

RESOLVED, that the Otsego County Board of Commissioners, hereby officially acknowledges the commitment that Christopher Knight has provided to our County and its website, and wish him well in his future endeavors.

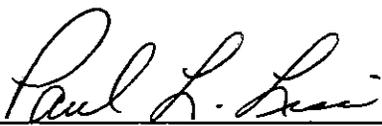
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

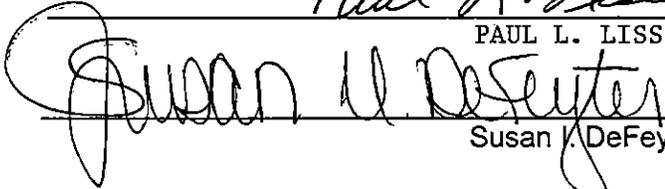
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



PAUL L. LISS VICE-Chairman



Susan J. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 26th day of August 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACENAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-23
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
08/26/2008

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 3330 Trunk Lane, Gaylord, Michigan 49735 and has a mortgage recorded in the office of the Register of Deeds for Otsego County, Michigan, in Liber 871, Pages 68-81, in the name Norman J. Fortin, Jr. and Lorie A. Fortin, Husband and Wife, and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Norman J. Fortin, Jr. and Lorie A. Fortin, Husband and Wife and be it further

RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

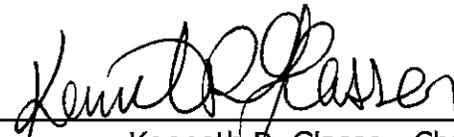
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

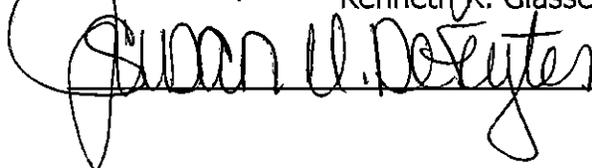
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 26th day of August, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 23rd day of September, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE, BENTZ.

ABSENT: NONE.

The following preamble and resolution was offered by Commissioner BATES.

RESOLUTION NO. OCR 08-24
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
September 23, 2008

WHEREAS, the County of Otsego is interested in the continuing effort to rehabilitate rental housing conditions for its low income residents; and

WHEREAS, The County has demonstrated a need for this assistance with data outlined in the application; and

WHEREAS, The County intends to meet this need by submission of an application to Michigan State Housing Development Authority (MSHDA) 2008 Housing Resource Fund (HRF) Rental Rehabilitation Community Development Block Grant and by funds leveraged with Landlords, MSHDA Property Improvement Program (PIP) and local lenders thus meeting more needs; and

WHEREAS, The County Board of Commissioners accepts the recommendation of the Housing Committee to apply for \$300,000; now, therefore, be it

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, John M. Burt be the Authorized Official to sign and submit said MSHDA's HRF Application and Marlene K. Hopp, Director of the Otsego County Housing Committee be the Agency Administrator to prepare the grant and submit other documents as required.

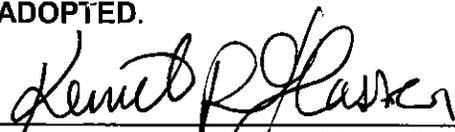
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

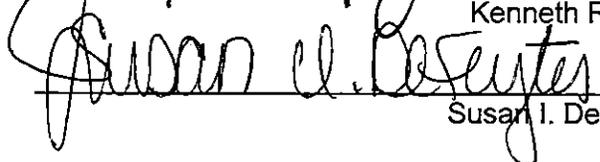
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-purpose room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 14th day of October, 2008 beginning at 9:30 a.m.

PRESENT: Backenstose, Bates, Liss, Olsen, Johnson, Hyde, Bentz.

ABSENT: Glasser, Beachnau.

The following preamble and resolution was offered by Commissioner Backenstose .

RESOLUTION NO. OCR 08-25
Brownfield Redevelopment Authority
Elmer's Gaylord Redevelopment Project
10/14/08

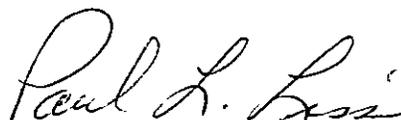
- WHEREAS,** The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated property through tax increment financing of eligible environmental activities; and
- WHEREAS,** The Otsego County Board of Commissioners established the Otsego County Brownfield Redevelopment Authority in February 2005 and appointed its members in July 2005; and
- WHEREAS,** The Otsego County Brownfield Redevelopment Authority has reviewed and approved the brownfield plan for the Elmer's Gaylord Redevelopment Project at their October 9, 2008 meeting and recommends approval by the Otsego County Board of Commissioners; and
- WHEREAS,** The City of Gaylord City Council concurred with the brownfield plan at their October 13, 2008 meeting; and
- WHEREAS,** The Otsego County Board of Commissioners has determined that the brownfield plan constitutes a public purpose of job creation, increased private investment and economic development and increased property tax value; and
- WHEREAS,** A public hearing on the brownfield plan has been noticed and held on October 14, 2008 and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381; therefore, be it
- RESOLVED,** that the Otsego County Board of Commissioners hereby approves the brownfield plan for the Elmer's Gaylord Redevelopment.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS

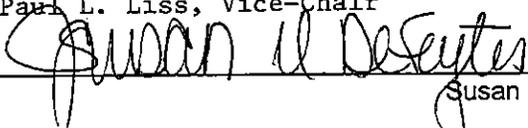
AYES: Unanimous.

NAYS: None.

RESOLUTION DECLARED ADOPTED.



Paul L. Liss, Vice-Chair, Board of Commissioner



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-purpose room at the J. Richard Yuill Alpine Center, 800 Livingston Blvd., Gaylord, Michigan on the 14th day of October, 2008 beginning at 9:30 a.m.

PRESENT: Backenstose, Bates, Liss, Olsen, Johnson, Hyde, Bentz.

ABSENT: Beachnau, Glasser.

The following preamble and resolution was offered by Commissioner Hyde.

RESOLUTION NO. OCR 08-26
Brownfield Redevelopment Authority
Elmer's Gaylord Redevelopment Project
10/14/08

WHEREAS, The Michigan Department of Environmental Quality (MDEQ) provides grants and loans to communities through its Brownfield Redevelopment Grant and Loan program to encourage reuse of brownfield properties by funding demolition and environmental response activities;

WHEREAS, The redevelopment of the former Gaylord landfill is a partnership between the State of Michigan, the Otsego County Brownfield Redevelopment Authority (OCBRA), Otsego County, the City of Gaylord, and Elmer's Crane and Dozer and environmental activities are required as part of the redevelopment; and

WHEREAS, The project effectively meets the program criteria of need for financial assistance, local financial commitment, site reuse, and economic development and job creation; and

WHEREAS, The proposed development is consistent with local development plans, zoning ordinances, and the City of Gaylord Master Plan and will be under land use review; and

WHEREAS, The site for which grant and loan funds are being requested are designated as a "Facility" under Part 201, 1994 Act 451 and neither the applicant, Otsego County Brownfield Redevelopment Authority nor the developer, Elmer's Crane and Dozer, are liable parties; and

WHEREAS, The application requests a Brownfield Loan in the amount of \$492,550 for environmental response activities and the proposed project will be undertaken if a grant and loan are awarded; and

WHEREAS, The MDEQ requires that Otsego County commit its full faith and credit to the repayment of the loan, based on the terms and conditions of the loan agreement; therefore, be it

RESOLVED, that the Otsego County Board of Commissioners supports the submittal of an application to the Michigan Department of Environmental Quality by the Otsego County Brownfield Redevelopment Authority for a Brownfield Redevelopment Loan for environmental response activities for Elmer's Gaylord Redevelopment Project and that the County Board commits its full faith and credit to the repayment of the Brownfield Redevelopment Loan, based on the terms and conditions of the loan agreement; and be it further

RESOLVED, if the application is approved, the Otsego County Brownfield Redevelopment Authority's acceptance of these funds is contingent upon the following conditions:

- 1) The City of Gaylord, Otsego County, and the Otsego County Brownfield Authority shall enter into an interlocal public agency agreement or other similar legal structure that sets forth the duties, powers, and responsibilities each party has in furthering the Elmer's Redevelopment Project;

Minutes of a regular meeting of the Otsego County Board of Commissioners, held at the Dover Township Hall, 2985 Marquardt Road, Gaylord, Michigan on the 28th day of October, 2008 beginning at 7:00 p.m.

PRESENT: BACKENSTOSE, BATES, LISS, OLSEN, GLASSER, BEACHNAU, HYDE.

ABSENT: JOHNSON, BENTZ.

The following preamble and resolution was offered by Commissioner BEACHNAU.

RESOLUTION NO. OCR 08-27
OPPOSING HOUSE BILL 6112
October 28, 2008

WHEREAS, House Bill 6112 has been introduced in the House; and

WHEREAS, House Bill 6112, if passed, will create a new act known as the Corrections Officers Compulsory Arbitration Act to provide binding arbitration procedure for the resolution of labor disputes; and

WHEREAS, this act would create a procedure that mirrors what is known as Act 312 compulsory arbitration which currently applies to police officers and firefighters, and not to corrections officers; and

WHEREAS, compulsory arbitration of labor disputes has proven to be a costly and time-consuming process by which a third party decides the terms and conditions of collective bargaining agreements instead of the parties themselves; and

WHEREAS, compulsory arbitration promotes an adversarial labor-management solution and discourages continued negotiations toward mutually obtained collective bargaining agreements; now, therefore be it

RESOLVED, that the Otsego County Board of Commissioners hereby goes on record in strong opposition of HB 6112; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Jennifer Granholm, Senator Tony Stamas, Representative Kevin Elsenheimer, and the Michigan Association of Counties.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS

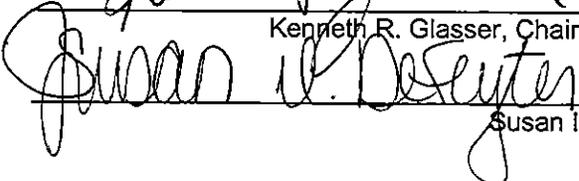
AYES: UNANIMOUS.

NAYS: NONE.

RESOLUTION DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioner



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 28th day of October, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 6th day of November, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, HYDE, BENTZ.

ABSENT: JOHNSON.

The following preamble and resolution was offered by Commissioner BENTZ.

RESOLUTION NO. OCR 08-28
Resolution of Recognition for Air Fair Donors
and Airport Advisory Committee

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 6, 2008

WHEREAS, 2008 Gaylord Air Fair was held on June 21, 2008 at the Gaylord Regional Airport; and

WHEREAS, the 2008 Air Fair enjoyed by many local residents as well as visitors to our County; and

WHEREAS, the Airport Advisory Committee did an outstanding job planning and implementing the Air Fair; and

WHEREAS, the Air Fair couldn't have been held without the generosity of many businesses and individuals; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby officially honors the Airport Advisory Committee members for their hard work and dedication in producing the 2008 Gaylord Air Fair; and be it further

RESOLVED, that the Otsego County Board of Commissioners does further express its gratitude to the following donors that made the Air Fair possible:

| | |
|---|--|
| Aero RC Club of Flint | Gaylord ARFF |
| Albie's Food | Gaylord Herald Times |
| Alpine Computers | Gaylord Area Convention & Tourism Bureau |
| Alpine Leisure Pilots Society | Gerta's Draperies |
| Alpine Oven | Great Lakes Redi-Mix |
| Bennethum's | Greg McMasters & TV 7&4 |
| Bob Lutz | Hickerson Floor & Tile Haus |
| Boy Scout Troop #1 & Girl Scout Troop #2111 | Image North |
| Butcher & Associates | Jan's Deli |
| C2AE | Jeff Johnson |
| Carter Moore | Jet's Pizza |
| City of Gaylord | John Lewey |
| City of Gaylord Police | Ken "High Pockets" Schlemmer |
| Civil Air Patrol – Gaylord Composite Flight | Lakeview Quality Tool |
| Craig & Marina Friend | Larry Kent |
| Culver's | Maier & Associates |
| Dale J. Smith | Marsh Ridge |
| Deerfield Communications | Masse Aviation |
| Donna & Kevin Stubenvoll | Michigan Museum of Military Vehicles |
| EAA 1095 Gaylord Chapter | Michigan National Guard |
| Eagle 101.5 FM | Mike Deerfield |
| Frank's Cocktail Bar | Muzyl Oil Corporation |
| Gaylord Ace Hardware | National Weather Service |

Neal Wisner
North Country Aviation
Northern Energy
Northern Firearms Training
Northwestern Michigan College
Otsego County
Otsego County Economic Alliance
Otsego County EMS
Otsego County Fire Department
Otsego County Road Commission
Otsego County Sheriff's Department
Patrick Woody Family
Paxton Resources
Pro 31
Ron Hacker Family
Ruby Tuesday

Straits Area Amateur Radio Club
Spartan Sewer & Septic Service
The Alpine Chocolat Haus
Todd Hopp
Total Power Sports
Traverse Lake Aviation
Treetops Resort
United States Navy
University Center of Gaylord
Wagar Motors
Wally McCoy
Weber Development
Weekly Choice Publications
Wilbur Automotive
Yankee Station
And all volunteers

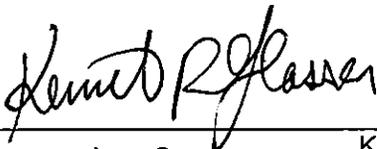
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

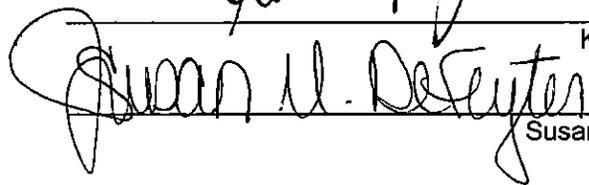
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth Glasser, Chairman


Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 6th day of November, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 6th day of November, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, HYDE, BENTZ.

ABSENT: JOHNSON.

The following preamble and resolution was offered by Commissioner Olsen.

RESOLUTION NO. OCR 08-29
Resolution of Gaylord Middle School Efforts

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 6, 2008

WHEREAS, a Veteran's Day ceremony will be held at the Gaylord Middle School on Tuesday, November 11, 2008; and

WHEREAS, this will be the 12th Veteran's Day ceremony hosted by the Gaylord Middle School; and

WHEREAS, this event recognizes both peace and wartime veterans; and

WHEREAS, this event helps students learn respect for our country as well as for the sacrifices veterans have made for our country; and

WHEREAS, this event is organized by Principal Jerry Belanger, along with Clarence Ralston, Alex Greficz, and the late Sylvester Lenartowicz; and

WHEREAS, the participation of the students and student council are also essential in the preparation for this important ceremony; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby officially honors and praises Principal Jerry Belanger, Sylvester Lenartowicz, Clarence Ralston, and Alex Greficz, as well as the whole Gaylord Middle School student body and its Student Council for their efforts on behalf of all Otsego County veterans.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

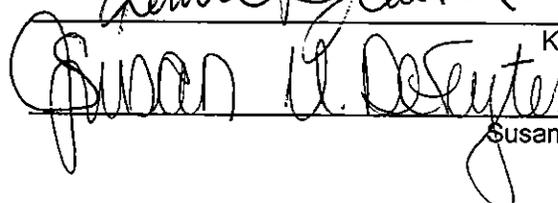
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth Glasser, Chairman



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 6th day of November, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, HYDE, BENTZ.

ABSENT: JOENSON.

The following preamble and resolution was offered by Commissioner BEACHNAU.

RESOLUTION NO. OCR 08-30
Resolution of Recognition for Gaylord Regional Airport
Furniture Donations

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 6, 2008

WHEREAS, the new Gaylord Regional Airport terminal building was constructed in early 2006; and

WHEREAS, funding was not available at that time to purchase furnishings for the terminal; and

WHEREAS, Otsego County was desirous of obtaining furnishings that match the atmosphere and décor of the new terminal; and

WHEREAS, the Airport Advisory Committee members did take on the task of raising funds for outfitting the new terminal; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby officially honors the Airport Advisory Committee members for their commitment to continually enhancing the quality of the Gaylord Regional Airport; and be it further

RESOLVED, that the Otsego County Board of Commissioners does further express its gratitude to the following donors to the Gaylord Regional Airport:

Airport Advisory Committee members
Craig Friend
Edelweiss Garden Club
Gaylord Area Council for the Arts
Gaylord EAA Chapter 1059
Louis Tebbe
Janice Lampert
Michigan Chapter Ninety-Nines
Muzyl Oil Corporation
Sherwin Williams
Torco Racing Fuels
Wal-Mart

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN:

NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth Glasser, Chairman

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 6th day of November, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 25th, day of November 2008, 9:30am.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-31
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
November 25, 2008

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 7922 Maple St., in Vanderbilt, Michigan 49795 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 279, Page 269, in the name of Arlene B. Koscielniak, and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Arlene B. Koscielniak and be it further

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, be authorized to sign said document.

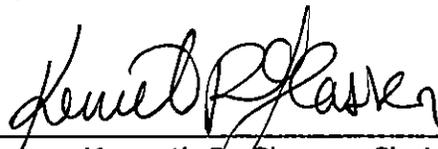
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

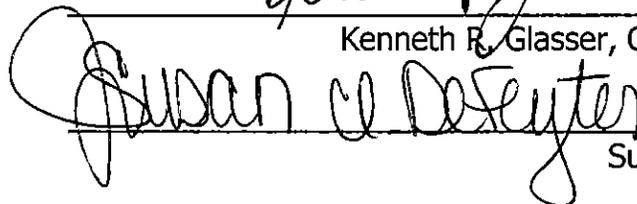
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25th day of November, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

OCR 08-32

UNIFORM RESOLUTION FOR ADOPTING BENEFIT PROGRAM "E" INCREASE TO BE EFFECTIVE ON ADJUSTMENT DATE JANUARY 1, 2009

Must be filed with MERS by November 25, 2008, to be effective for Calendar 2009

Note: Numbers 1 and 2 must be completed.

1. As authorized by Section 20 of the MERS Plan Document as revised the Otsego County (Participating Municipality)

6902-1 adopts for the following (circle only A or B): (Municipality No.)

A. All retirees and beneficiaries.

or

B. Retirees and beneficiaries in Divisions: 1, 10, 11, 12, 13, 14, 20 Specify Division Number(s)

2. The increase will be (Traditional E or Flexible E—choose either A or B):

A. Traditional E (For all who retired on or before December 31, 2007, as computed in the actuary's cost analysis.)

Two percent (2%) of the retirement allowance payable immediately prior to the adjustment date, for each complete calendar year since the last adjustment date for which Benefit E was adopted, or effective date of retirement allowance, whichever is shorter.

or

B. Flexible E (Complete the following.)

1) Type of increase 2 % or flat dollar amount per month \$

2) Increase applies in the following manner:

(a) Only those retired on or before December 31, 2007

(b) Number of years for adjustment 1

I certify that this Resolution was adopted by the Otsego County Board of Commissioners Governing Body at its meeting held on November 25, 2008

Dated: 11-25-2008

Signature of Authorized Official

Chair, Board of Commissioners

Title

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multipurpose Room of the J. Richard Yuill Alpine Center, 800 Livingston Blvd. Gaylord, MI 49735, on the 25th day of November, 2008, at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolutions was offered by Commissioner BEACHNAU

**OCR 08-33
Fiscal Year 2009 Budget Resolution
And General Appropriations Act**

WHEREAS, the Uniform Budget and Accounting Act ("UBAA") MCLA 141.421 et seq., requires that the Board enact a general appropriations act designed to meet County-funded expenditures; and

WHEREAS, County offices, the courts, county departments, agencies and others have submitted requests for a county appropriation in the 2009 budget; and

WHEREAS, the County Administrator has submitted a proposed budget as required by statute; and

WHEREAS, the Board of Commissioners has taken into consideration the fact that there are required functions of county government or operations which must be budgeted at a serviceable level in order to provide required services programs; and

WHEREAS, the Board of Commissioners has determined the amount of money to be raised by taxation necessary for expenditures and liabilities for the 2009 fiscal year and has ordered that money to be raised by taxation within statutory and constitutional limitations.

NOW, THEREFORE, BE IT RESOLVED

1. That the 2009 Otsego County Budget for the General Fund which is incorporated by reference herein, is hereby adopted on a basis consistent with the Otsego County policies, subject to all County policies regarding the expenditure of funds as well as the conditions set forth in this resolution.
2. Tax rates are to be levied for the 2009 fiscal year as summarized in Appendix A of this document.
3. That this budget reflects a reasonable allocation of available resources to the various County departments, boards, and agencies, and allows for all mandated services, programs, and activities, including the courts to be performed at or beyond a serviceable level.

4. That the Board of Commissioners hereby authorizes monthly county-based surcharge of \$1.72 be placed on all communications service provider equipment able to call 9-1-1 for service as allowed under Public Act 164 of 2007 to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within Otsego County for Fiscal Year 2009, and that such funds shall be used in accordance with all applicable state and federal laws and County policies.
5. That all County elected officials and department heads shall abide by all County policies, including the Purchasing policy, personnel policies, and applicable labor agreements, as adopted and amended by this Board and that the budgeted funds are appropriated contingent upon compliance with these policies.
6. That the approved employee positions on the Approved Position Control Number Roster contained in this Budget as Appendix B, shall limit the number of employees who can be employed. No funds are appropriated for any position or employee not on the Approved Position Control Number Roster. Further, there may be a need to increase or decrease various positions within the Budget and/or impose a hiring freeze and/or impose lay-offs due to the unforeseen financial changes; therefore, the Approved Position Control Number Roster List may be changed from time to time by the Board and/or the Board may impose a hiring freeze. County elected officials and department heads shall abide by whatever changes are made by the Board, if any, relative to the approved positions and the number of employees stated in the Approved Position Control Number Roster List.
7. That the authorized positions in the Approved Position Control Number Roster List contained in each budget indicates the authorized maximum number of employees in their respective classifications for that budget. Any deviations from said list must be specifically approved by the Board.
8. That certain positions contained in the Approved Position Control Number Roster List which are supported in some part by a grant, cost sharing, child care reimbursement, or other source of outside funding, are only approved contingent upon the County receiving the budgeted revenues. In the event outside funding is not received, or the County is notified that it will not be received, then said positions shall be considered unfunded and removed from the Approved Position Control Number Roster List.
9. That the Administrator is authorized upon request of the respective elected official or department head to transfer persons from certain positions contained in the Approved Position Control Number Roster List, which are supported in some part by grant, cost sharing, child care reimbursement or other source of outside funding, to another grant funded position in order to reduce County cost.
10. That revenues received by the County under Public Act 106 and 107, 1985 (Convention Facility Tax revenues) shall not be used to reduce the County's operating millage levy (2009 Budget Year) as defined by Public Act 2 of 1986.

11. That in accordance with Public Act 106 of 1985 and Public Act 2 of 1986, 50% or approximately \$79,467 of the estimated \$158,934, of the Convention Facility Tax revenues not used to reduce the County's operating tax rate, shall be transmitted to the Northern Michigan Substance Abuse Services with remaining revenues to be deposited into the County's General Fund.
12. That revenues received by the County under Public Act 264 of 1987 (Health and Safety Fund Act) shall not be used to reduce the County's operating millage levy (2009 Budget Year).
13. That in accordance with Public Act 264 of 1987, that 12/17 or approximately \$5,273 of the estimated \$7,469 Cigarette Tax revenue, not used to reduce the County's operating tax rate shall be appropriated to the Northwest Michigan Health Department, for public health prevention programs and services, with remaining revenues to be deposited into the County's general fund.
14. That the Administrator is hereby appointed "Budget Administrator," pursuant to the Uniform Budget and Accounting Act, MCLA 141.421 et seq., with power to administer such duties in connection with said budget, as may be from time to time, delegated to the Office of the County Administrator by this Board.
15. That the Budget Administrator be directed to disburse to the various agencies, the approved County appropriation on the basis of need as determined by the cash balances within their respective funds.
16. That the County Administrator, upon recommendation of the appropriate elected official or department head, be authorized to accept grants on behalf of the County if there is no local match required, or ongoing programming or funding which would require additional appropriations or staffing in current or future fiscal years.
17. That the County Administrator, upon recommendation of the appropriate elected official or department head, be authorized to accept grants on behalf of the County in an amount up to \$50,000 with a local match not to exceed 10% (\$5,000), if required, and if available within the requesting department's current budget, and to record the appropriate budget amendment.
18. That the County Administrator is required and directed to automatically reduce any department each time a reduction is made in federal, state or local funds. The County Administrator, in conjunction with the affected elected official or department head, shall promptly make the necessary lay-offs and advise those affected by the service that those services are being discontinued as a result of said cutbacks.
19. That the County Administrator is authorized to cause the drafting of contracts where necessary and appropriate within established budgetary limitations and that the County Administrator is authorized to sign said contracts after legal counsel approved each contract as to legal form, and the Board of Commissioners has approved each contract. The County Administrator is authorized to sign all contract renewals without prior approval of the Board if funds are previously approved for said contract and there are no changes to the contract as part of the renewal.

20. The Board of Commissioners has determined it would be fiscally prudent to set a goal to add approximately \$110,000 to the Budget Stabilization fund (Fund 257).
21. That the Board of Commissioners has determined that it is fiscally prudent to carry a \$500,000 fund balance in the Health Care fund (Fund 647). Funds in excess of this amount shall be refunded to the contributing funds outside of the general fund as follows: 208 Parks and Recreation, 588 Bus, 212 Animal Control, 232 Housing, 281 Airport, 261 9-1-1, 249 Land Use Services. All remaining leftover funds will be transferred to the General Fund.
22. The Board of Commissioners has determined that it is fiscally prudent to maintain a Legal Defense Fund, Fund 260.
23. The Board of Commissioners has determined that it is fiscally prudent to carry a fund balance level of 10% of expenditures from year-to-year in the Building and Grounds Fund, Fund 637, in order to avoid cash flow shortfalls.
24. The Board of Commissioners has determined that the Administrative Services Fund, Fund 645, will need to maintain a fund balance level of 5% of expenditures from year-to-year, in order to avoid cash flow shortfalls.
25. That the amounts indicated in the "Budgetary Detail" are hereby appropriated from the General Funds and other funds of Otsego County according to the Activity Centers (Departments) contained in that detail which is incorporated herein by reference, and that such appropriations shall be restricted to the functioning of those Activity Centers (Departments), all applicable federal and state laws, County policies, and the provisions of this Act. The "Budgetary Detail" chart is included in this document at Appendix C.
26. The Administrator has the authority to approve all amendments made to the 2009 budget except for instances where a) the amendment will increase the department's total budget or b) the amendment will affect a payroll account (defined as any account in the 700000 expenditure section of the general ledger) and exceeds \$500 in total.

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Center, Gaylord, Michigan on the 25th day of November, 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner BACKENSTOSE.

RESOLUTION NO. OCR 08-34
HONORING JAMES MADDIX

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 25, 2008

WHEREAS, James Maddix has voluntarily served Otsego County as a member of the County Planning Commission since May 9, 1995; and

WHEREAS, the Otsego County Board of Commissioners appreciates the dedication and service that James has provided; and

WHEREAS, as a member of the Planning Commission he helped guide the County through its growth during the last 13 years; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners is honoring James for his outstanding service to the County and expresses their pride in his accomplishments; and be it further

RESOLVED, that the Otsego County Board of Commissioners wishes to thank James for his tireless commitment to the County and his leadership and dedication to ensure that the land use regulations adopted by the County were reasonable and based on common sense, with an eye toward making sure individual property rights were always addressed and protected.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

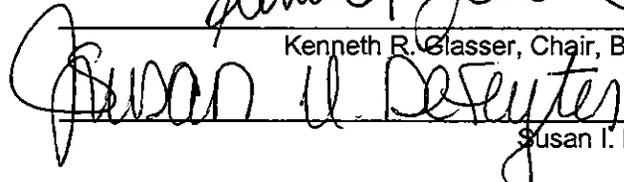
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN }
 } ss.
COUNTY OF OTSEGO }

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25th day of November, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008



**HEALTH CARE SAVINGS PROGRAM
PARTICIPATION AGREEMENT**

Otsego County

(Participating Employer)

**Municipal Employees' Retirement System of Michigan
1134 Municipal Way
Lansing, MI 48917
517-703-9030**

**Restated: November 15, 2005
(Approved May 14, 2003 and
amended August 19, 2004)**

HEALTH CARE SAVINGS PROGRAM EMPLOYER

Effective Date of this Participation Agreement January 1, 2009

Health Care Savings Program Coordinator (Name and title) Trisha Adam, Human Resources Director

Address 225 W. Main Street, #203, Gaylord, MI 49735

Phone (989) 731-7522 Facsimile (989) 731-7529

E-mail tadam@otsegocountymi.gov

COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units or personnel/employee classifications ("Covered Group"), in Health Care Savings Program or select from the listing below. Contributions shall be made on the same basis within each Covered Group identified by this agreement, and remitted as directed by the Program Administrator. If the Employer has varying coverage or contribution structures between groups, a separate agreement will need to be completed for each covered group. This agreement encompasses the group(s) listed below:

All Eligible Employees within the following bargaining unit(s) or personnel/employee classification(s) (must specify below, e.g., MERS Division 1; All Police & Fire; or Police Command):

All POAM County employees hired after November 5, 2008 and current employees that opt out of retiree healthcare.

ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program. 2. Subject to other conditions in the Trust Document and this Participation Agreement, the following Covered Group of Employees are deemed to be "qualified persons" eligible to participate in the Health Care Savings Program:

Check one or both:

- With respect to Covered Groups, this Participation Agreement covers all employees who are in a collective bargaining unit, subject to the terms of the collective bargaining agreement.

- With respect to Covered Groups, this Participation Agreement covers all employees who are subject to the same personnel policy, according to the terms of the policy.

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement on Employee Enrollment and Beneficiary Designation forms to be provided by MERS Health Care Savings Program.

EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Once you have determined the contribution structure, language should be added in the appropriate area below. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the Program Administrator along with the Participation Report, to be credited to the individual accounts of Eligible Employees as follows:

Check one or more, as applicable:

- Basic Employer (Before-Tax) Contributions

These employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this agreement.

Contribution structure (specify): The Employer will match employee contributions up to \$40 per month.

- Vesting Cycle For Basic Employer Contributions Only

The employer contributions identified in this Participation Agreement are subject to the following vesting cycle.

| Years of Service | Percentage Vested |
|------------------|-------------------|
| | |
| | |
| | |
| | |
| 1 | 100% |

Sick Leave Conversion Contribution Structure:

As of _____, _____ % of sick leave must be contributed to HCSP.
(Annual Date or X weeks prior to termination)

Other (specify): _____

Personal Leave Conversion Contribution Structure:

As of November 30th, 100 % of personal leave must be contributed to HCSP.
(Annual Date or X weeks prior to termination)

Other (specify): _____

Severance Pay Conversion Contribution Structure:

As of _____, _____ % of severance pay must be contributed to HCSP.
(Annual Date or X weeks prior to termination)

Other (specify): _____

Post-Tax Employee Contributions

The Participating Employer hereby elects to permit post-tax Employee Contributions to be made by Eligible Employees within the Covered Group(s), which shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Plan Document have been implemented.

FORFEITURE PROVISION. Upon separation from the service with the Employer prior to meeting required vesting schedule set out above, or upon Death of the Participant, prior to meeting the required vesting schedule, a Participant's account assets shall:

Check only one, as applicable:

- Remain in the HCSP sub-trust to be reallocated among all Plan Participants in on equal dollar basis
- Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- Be transferred to the Employer's Health Funding Vehicle ("RHFV").

Mandatory Salary Reduction (Before-Tax) Contributions

Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (specify): All POAM employees will contribute \$20 per month with the ability to elect up to \$1000 per month. Employees may increase their contributions from time to time, but never decrease them.

Mandatory Leave Conversion (Before-Tax) Contributions

Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

The following type of leave shall be converted to an employer cash contribution to Health Care Savings Program:

Check one or more, as applicable:

Vacation Leave Conversion Contribution Structure:

As of _____, _____ % of vacation leave must be contributed to HCSP.
(Annual Date or X weeks prior to termination)

Other (specify): _____

STATE LAW

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

TERMINATION OF THE PARTICIPATION AGREEMENT

This Participation Agreement may be terminated only in accordance with the Trust Plan Document.

EXECUTION BY GOVERNING BODY OF MUNICIPALITY

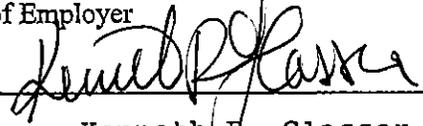
The foregoing Participation Agreement is hereby adopted and approved on the 25th day of November, 2008.

GOVERNING BODY

Otsego County Board of Commissioners

Name of Employer

Signed



Printed Name Kenneth R. Glasser

Title Chair, Board of Commissioners.

Date of Signature 11-25-08

MERS APPROVAL

The Participation Agreement is approved by MERS. Contributions shall first be remitted beginning with the month of _____, 20____.

Dated: _____, 20____

By _____
(Authorized MERS signatory)

Title _____

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 08-36
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, the County of Otsego is interested in the continuing effort to rehabilitate housing conditions for its low income residents; and

WHEREAS, The County has demonstrated a need for this assistance with data outlined in the application; and

WHEREAS, The County intends to meet this need by submission of an application to Michigan State Housing Authority (MSHDA) 2008 Housing Resource Fund (HRF) County Allocation Community Development Block Grant and by funds leveraged with USDA, Rural Development, MSHDA Property Improvement Program (PIP), Northeast Michigan Community Service Agency (NEMCSA) Weatherization Program and local Department of Human Services (DHS) Emergency Services Fund thus meeting more needs; and

WHEREAS, The County Board of Commissioners accepts the recommendation of the Housing Committee to apply for \$175,000; now, therefore, be it

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, John M. Burt be the Authorized Official to sign and submit said MSHDA's HRF Application and Marlene K. Hopp, Director of the Otsego County Housing Committee be the Agency Administrator to prepare the grant and submit other documents as required.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

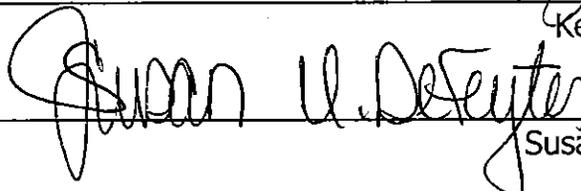
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008 at 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: BACKENSTOSE.

RESOLUTION NO. OCR 08-37
HONORING DONALD HUFF
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Donald R. Huff has faithfully served the Otsego County Road Commission for 24 years, and

WHEREAS, Donald R. Huff served on the Otsego County Parks and Recreation Commission for over 20 years; and

WHEREAS, Donald R. Huff previously served on the Otsego County Board of Commissioners; and

WHEREAS, Donald R. Huff previously served four years as Supervisor for Dover Township; and

WHEREAS, Donald R. Huff has put in immeasurable time on his own regarding road problems, real estate and mineral leases, and

WHEREAS; Donald R. Huff will be greatly missed by his fellow commissioners, office staff and employees, now, therefore, be it

RESOLVED, that Donald R. Huff is to always be remembered by fellow workers and the public as unselfishly giving of his time and talents to make Otsego County a better place to live and the roads in Otsego County to be the best and safest possible, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Donald for his outstanding service to our community.

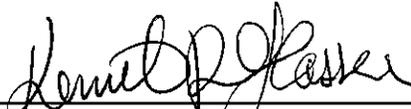
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

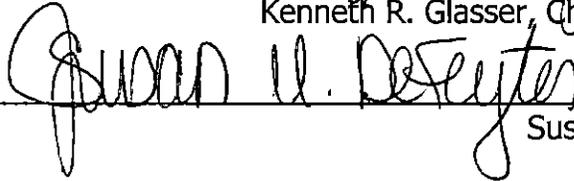
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chair, Board of Commissioners



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: HYDE.

RESOLUTION NO. OCR 08-38
COMMENDATION IN HONOR OF JUDITH ESTELLE
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Judith Estelle has voluntarily served Otsego County as the Hayes Township Treasurer from 1980 to 1989; and

WHEREAS, she then served Hayes Township as a Trustee from July 1999 to November 20, 2008; and

WHEREAS, Judith has lived in Hayes Township since her marriage to Ed in 1960, and they continue to farm the area; and

WHEREAS, the Otsego County Board of Commissioners is honoring Judith for her outstanding service to the County and expresses their pride in her accomplishments; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners wishes to thank Judith for her tireless commitment to the County and her leadership and dedication to Hayes Township and the community.

ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

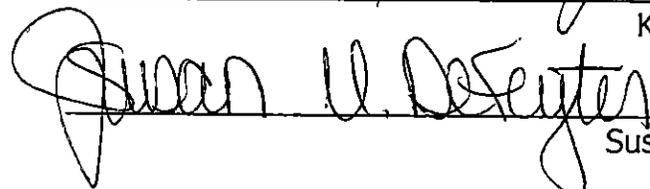
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: OLSEN.

RESOLUTION NO. OCR 08-39
COMMENDATION IN HONOR OF JOSEPH EDWARTOWSKI
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Joseph Edwartowski has served Charlton Township as a Trustee for the last four years, and

WHEREAS, Joseph Edwartowski spent many years as a member on the Board of Review, and

WHEREAS, Joseph Edwartowski will be missed by his fellow Township officials, now, therefore, be it

RESOLVED, that Joseph Edwartowski be remembered by fellow Charlton Township colleagues and the public for the giving of his time and talents to make Otsego County a better place to live and work, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Joseph for his outstanding service to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

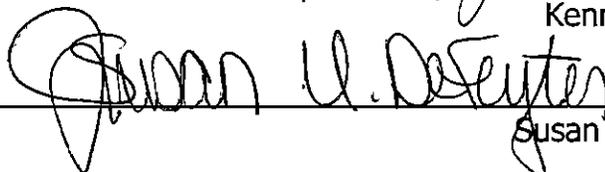
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: LISS.

RESOLUTION NO. OCR 08-40
COMMENDATION IN HONOR OF VERNON KASSUBA
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Vernon Kassuba has faithfully served Corwith Township as their Supervisor since 1990,
and

WHEREAS; Vernon Kassuba will be greatly missed by his fellow Township officials and colleagues,
now, therefore, be it

RESOLVED, that Vernon Kassuba will be highly regarded by his fellow Township Officers and the
public by the giving of his time to make Otsego County and Corwith Township a better
place to live and work, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor
Vern for his outstanding service to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

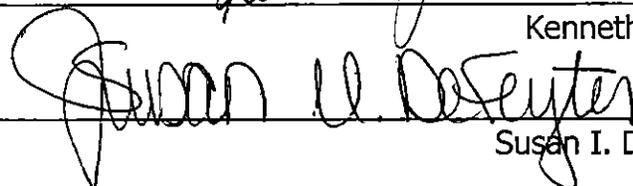
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman


Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: JOHNSON.

RESOLUTION NO. OCR 08-41
COMMENDATION IN HONOR OF RICHARD SUMERIX
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Richard Sumerix has served Bagley Township as a Trustee since November 20, 1976, and

WHEREAS, Richard Sumerix has served on the Bagley Township Planning Commission since 1980, and

WHEREAS, Richard also served on the Otsego County Planning Commission as well as the Zoning Board of Appeals, and

WHEREAS, Richard continues to serve Bagley Township as their Code Enforcement Officer, now, therefore, be it

RESOLVED, that Richard Sumerix be remembered by fellow Bagley Township colleagues, Otsego County Planning Commission, the ZBA board members and the public for the giving of his time and talents to make Otsego County a better place to live and work, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Richard for his outstanding service to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

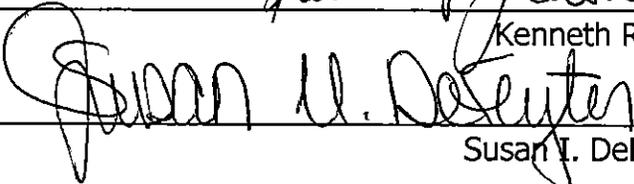
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: OLSEN.

RESOLUTION NO. OCR 08-42
COMMENDATION IN HONOR OF ROBERT H. HARKNESS
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Robert H. Harkness has served Chester Township as their Supervisor since November 2004, he served his entire term of office and was elected Otsego County Commissioner-District IV in November 2008, and

WHEREAS, while Bob was Supervisor he regularly attended and contributed at the Township's monthly meetings, and

WHEREAS, during Bob's tenure he helped complete road improvement projects with the Otsego County Road Commission, and

WHEREAS, Bob was instrumental with the township so they could finance an annual clean up day for their residents 2005 through 2008, and

WHEREAS, prior to Bob becoming Supervisor and while in office he worked as a volunteer mediator for the Gaylord Community Mediation office as well as Northern Community Mediation, he contributed more than 100 hours for each office, and

WHEREAS; in 2007 Bob was awarded the Volunteer Mediator of the Year award by Northern Community Mediation, and

WHEREAS, Robert H. Harkness will be missed by his fellow Township officials, now, therefore, be it

RESOLVED, that Robert H. Harkness be remembered by fellow Chester Township colleagues and the public for the giving of his time and talents to make Otsego County and Chester Township a better place to live and work, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Bob for his outstanding service to our community. And to congratulate him on his new position as County Commissioner representing District IV.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

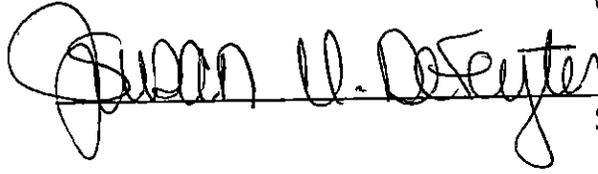
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: LISS.

RESOLUTION NO. OCR 08-43
COMMENDATION IN HONOR OF CHESTER KOZLOWSKI
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Chester Kozlowski has served Dover Township as a Trustee for over three decades,
and

WHEREAS, Chester Kozlowski has been a Dover Township resident since 1950, and

WHEREAS, Chester opened his excavating business in Otsego County over 30 years ago, and

WHEREAS, Chester served on the Otsego County Fire Board as a Dover Township Representative
for the past 12 years, and

WHEREAS; Chester Kozlowski will be missed by his fellow Township officials, now, therefore, be it

RESOLVED, that Chester Kozlowski be remembered by fellow Dover Township colleagues and the
public for the giving of his time and talents to make Otsego County a better place to live
and work, and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor
Chester for his outstanding service to our community.

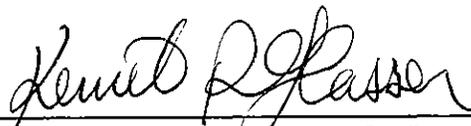
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

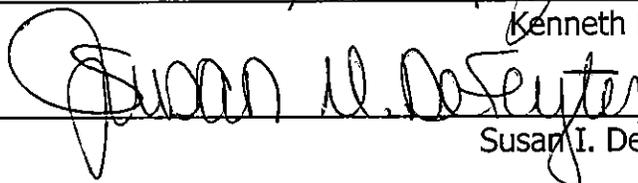
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: BEACHNAU.

RESOLUTION NO. OCR 08-44
COMMENDATION IN HONOR OF LEE OLSEN
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Lee Olsen has faithfully served the Otsego County Board of Commissioners for five terms; and

WHEREAS; Lee Olsen will be greatly missed by his fellow Commissioners; and

WHEREAS; the accuracy of that thar grammar used in County documents will surely suffer by the absence of Commissioner Olsen; now, therefore, be it

RESOLVED, that the Commissioners do wish him the best of luck in the sale of his Arizona estate; and be it further

RESOLVED, that Lee Olsen will be highly regarded by his fellow Commissioners and the public by the giving of his time to make Otsego County a better place to live and work; and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Lee for his outstanding service to our community.

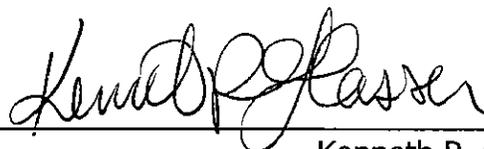
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

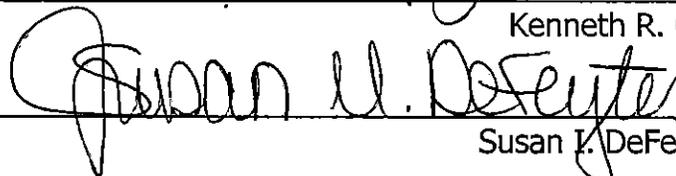
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan J. DeFeyter, County Clerk

STATE OF MICHIGAN)
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 16th day of December, 2008, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2008

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the Multi-Purpose Room at the J. Richard Yuill Alpine Center, Gaylord, Michigan on the 16th day of December 2008, 9:30 a.m.

PRESENT: BACKENSTOSE, BATES, BEACHNAU, LISS, OLSEN, GLASSER, JOHNSON, HYDE.

ABSENT: BENTZ.

The following preamble and resolution was offered by Commissioner: BATES.

RESOLUTION NO. OCR 08-45
COMMENDATION IN HONOR OF ALLAN BENTZ
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 16, 2008

WHEREAS, Allan Bentz has faithfully served the Otsego County Board of Commissioners for six terms; and

WHEREAS, Allan always fights the good fight; and

WHEREAS; Allan was always willing to voice his opinion, at length, on any unfunded mandates dictated by the State; and

WHEREAS; Allan Bentz will be truly missed by his fellow Commissioners, and County employees; now, therefore, be it

RESOLVED, that Allan Bentz will be highly regarded by his fellow Commissioners and the public by the giving of his time to make Otsego County a better place to live and work; and be it further

RESOLVED, that the Otsego County Board of Commissioners want to commend and honor Allan for his outstanding service to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

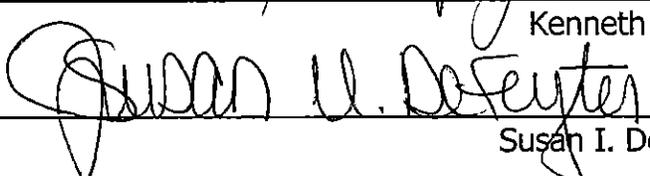
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Kenneth R. Glasser, Chairman



Susan I. DeFeyter, County Clerk



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

MERS UNIFORM HYBRID PROGRAM
(BENEFIT PROGRAM H) RESOLUTION

WHEREAS, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

[s]hall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other postemployment benefit programs. (as amended by 2004 PA 490).

WHEREAS, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

WHEREAS, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a) (Letter of Favorable Determination dated June 15, 2005; and letter dated July 8, 1997).

WHEREAS, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

WHEREAS, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS' duly-appointed third-party administrator for the DC component.

WHEREAS, on December 1, 2006, the Retirement Board entered into an Amended and Restated Alliance Agreement (the "2006 Alliance Agreement") with ICMA-RC (the International City Management Association Retirement Corporation) as third-party administrator for the DC Program or components established under the MERS Plan Document (which replaced the 2001 Alliance Agreement dated November 14, 2001).

WHEREAS, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board "shall determine . . . and establish" all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(17):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.
- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty: to administer (or to have administered) the Benefit Program H; to authorize the transfer of any Plan assets to the Hybrid Program; or to continue administration by MERS directly or indirectly, or by any third-party administrator.

WHEREAS, concurrent with this Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS, documents necessary for adoption and implementation of MERS Benefit Program H. This obligation applies to any documents deemed necessary to the operation of the DC component by MERS' third-party administrator.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts MERS Benefit Program H (Hybrid Program) as provided below.

I. NEW EMPLOYEES

Effective 1 - 1, 2009, (to be known as the ADOPTION DATE), the
Otsego County hereby adopts Benefit Program H for
(MERS municipality/court)
Div 01 Gnr1 Non Union, Div 13 Electd/Appt Spvs
(specify division #s)

first hired or rehired or transferred to the division at any time on and after the Adoption Date, and optional participation for any employee or officer of this municipality otherwise eligible to participate in MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate in MERS. **ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.**

(A) HYBRID PLAN CONTRIBUTIONS

- The DB Component shall be exclusively funded by the employer, with no member contributions permitted.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(6) and the MERS Uniform Hybrid DC Component Adoption Agreement ("Adoption Agreement," Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.

(B) COMPENSATION AND EARNINGS

- For the DB Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document, **with the exception of the last sentence, which shall not apply.**
- For the DC Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare taxable wages as reported by the employer on the member's federal form W-2, wage and tax statement.

(C) HYBRID PLAN VESTING

- For the DB Component, 6 year vesting is mandatory.
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(6) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
- As provided in Section 19B(16):

Where a member has previously acquired in the employ of any participating municipality or participating court:

- (a) not less than 1 year of defined benefit service in force with a participating municipality or participating court;
- (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

(c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC,

such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

(D) BENEFITS UNDER HYBRID PLAN

- For the DB component:

(1) The Benefit Multiplier (Plan Section 19B(2)) **initially selected shall be irrevocable, shall not later be changed and** shall be the one here specified (select only one of the following):

(a) 1.0 % times (x) years of service times (x) FAC

(b) 1.25% times (x) years of service times (x) FAC

(c) 1.5% times (x) years of service times (x) FAC

(2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(4))

(3) The Benefit shall be payable at age 60 (Plan Section 19B(3)(b)).

(4) Credited Service shall be comprised solely of the sum of (a) the total of the member's credited service under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(14)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(15)(b)).

- For the DC Component (Plan Section 19B(10)):

Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect 1 or a combination of several of the following methods of distribution of the vested former member's or beneficiary's accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(9)(b) and procedures established by the Retirement Board:

(1) Lump sum distribution to the vested former member or beneficiary.

(2) Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

- (3) Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
- (4) No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.

STOP *If covering new employees only, skip II and III and go to IV on page 10.* ***STOP***

II. OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III)

(PLAN SECTION 19B(11)-(15))

THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST SIXTY PERCENT (60%).

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

- (A) Effective on the **Adoption Date**, pursuant to Plan Section 19B(11) (select either (1) or (2)):
 - (1) all current MERS defined benefit members who are members of the same employee classification described in Section I above on the **Adoption Date** shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(12) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of 7-1, 2009, (insert month and year) which shall be known as the "**CONVERSION DATE.**"

The opportunity for current employees on the **Adoption Date** to participate in the Hybrid Program shall (select 1 of the following 2 choices):

apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

- (2) all current members of the retirement system shall be mandatorily covered under, and deemed to elect, Benefit Program H so long as the conditions of Section 19B(11) (a), (b) and (c) are met.

(B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.

(C) **COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.

(D) **HYBRID PLAN VESTING** shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(14), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions to the reserve for defined contribution plan:

- (a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the reserve for defined contribution plan.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

(b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph(F)(2) below (which shall not exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions to the reserve for defined contribution plan. For purposes of this sub-paragraph:

- (i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.
- (ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.
- (iii) In determining final average compensation there shall not be included any accrued annual leave.
- (iv) The earliest retirement date (for an unreduced benefit) assumption under the benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.
- (v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the **Conversion Date**, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the **Conversion Date** to the actual transfer date.

- (F) Per Plan Section 19B(14), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

- (1) **The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).**
- (2) **The funded level for the member's specific MERS division (total funded percentage of the present value of accrued benefits and valuation assets of all reserves) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS' actuary. In the APV calculation, the funded level used shall be (select one of the following):**

 X Funded level for the division (not to exceed 100% funded level).

 If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on % funded basis (insert number not less than funded level percentage and not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the **Conversion Date**; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

III. TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

- (A) Effective on the **Adoption Date**, pursuant to Plan Section 19B(11) (select either (1) or (2)):



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

- (1) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the **Adoption Date** shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(12) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of _____, 20____, (insert month and year), which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the **Adoption Date** to participate in the Hybrid Program shall (select 1 of the following 2 choices):

_____ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

_____ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

- (2) all current members of the retirement system shall be mandatorily covered under, and deemed to elect, Benefit Program H, so long as the conditions of Section 19B(11) (a), (b) and (c) are met.
- (B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.
- (C) **COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.
- (D) **HYBRID PLAN VESTING** shall be as provided in Section I (C) above.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

- (E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(15), the following shall apply:
- (a) The accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the reserve for defined contribution plan under Benefit Program H.
 - (b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

IV. IMPLEMENTATION DIRECTIONS FOR MERS HYBRID PROGRAM DC COMPONENT TO THIRD-PARTY ADMINISTRATOR.

- (A) The governing body of this MERS participating municipality or court as Employer desires that MERS Hybrid Program DC Component be administered by MERS' duly-designated third-party administrator and that some or all of the funds held under such plan be invested in the TPA's retirement trust established for the collective investment of funds held under the Employer's retirement, defined contribution, and deferred compensation plans.
- (B) The Employer hereby establishes MERS Hybrid Program DC Component as authorized by Section 19B(5)-(16) of the Municipal Employees' Retirement System of Michigan Plan Document, in the form of the third-party administrator's IRS-qualified retirement trust.
- (C) The Declaration of Trust of the Vantage Trust (Attachment 1, Appendix A, adopted and executed concurrent with and incorporated by reference in this Resolution) is operative and applies with respect to any MERS Hybrid Program DC Component, DC plan, retirement or deferred compensation plan previously or subsequently established by the Employer, if the assets are to be invested in the Vantage Trust.
- (D) Trisha M. Adam, Human Resources Director
Otsego County 225 W. Main St., #203 Gaylord, MI 49735
989-731-7522 tadam@otsegocountymi.gov
(name and title of official, address, telephone number, and e-mail address) shall be the Employer's MERS Hybrid Program Plan coordinator; shall receive necessary reports, notices, etc., from MERS and the third-party administrator or its retirement trust; shall cast, on behalf of the Employer, any required votes under the retirement trust; may delegate any administrative duties relating to the defined contribution plan to appropriate departments.



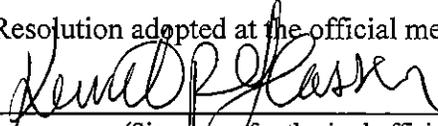
- (E) The Municipal Employees' Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS' self-administration of the defined contribution program in whole or in part.

V. EFFECTIVENESS OF THIS RESOLUTION

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer's Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on December 16, 2008


(Signature of authorized official)

Please send MERS fully executed copy of: this Resolution; Adoption Agreement with Declaration of Trust and certified minutes stating governing body approval, and/or union contract language.

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____
(Authorized MERS signatory)

Att.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

**MERS UNIFORM HYBRID DC COMPONENT
ADOPTION AGREEMENT**

The Employer, a participating municipality or participating court within the State of Michigan that has adopted MERS coverage, hereby establishes MERS Benefit Program:

Section 19B. DC Component ("MERS Hybrid DC")

in the form of the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust and attached Declaration of Trust of VantageTrust, as amended and as authorized by Sections 19B of the Municipal Employees' Retirement System of Michigan Plan Document. All references to "Plan Document" are to sections of the MERS Plan Document; any reference to "Plan," the "MERS Plan," "Plan Year," "Plan Participant," "Participant," or "Program," shall mean the MERS Hybrid DC, unless otherwise specified.

I. EMPLOYER: Otsego County
(Name of municipality or court)

II. The Effective Date of the Benefit Program here adopted shall be the first day of the Plan Year during which the Employer adopts the Plan, unless an alternate Effective Date is hereby specified: _____.

III. Normal Retirement Age shall be age 60.

IV. ELIGIBILITY REQUIREMENTS

1. The following group or groups of Employees are eligible to participate in the Plan:

Div 01 Gnrl Non-Union and Div 13 Electd/Appt Spvs
(Specify employee classification and division numbers)

2. Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate. (A copy of ALL employee enrollment forms must be submitted to MERS as well as ICMA.)

V. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant * % of Earnings or \$ - for the Plan Year (subject to the limitations of sections 415(c) and (e) of the Internal Revenue Code). Each Participant is required to contribute * % of Earnings for the Plan Year as a condition of participation in the Plan. (Write "0" if no contribution is required.) *If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement.

| | | |
|-------------------|------------------|----|
| Employer 1% match | Employee Options | 1% |
| | | 2% |
| | | 3% |

If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to "pick up" the Mandatory/Required Employee contribution. The "pick-up" provision allows the employer to direct mandatory employee contributions to be pre-tax.



Yes



No

[**Note to Employer:** Picked up contributions are excludable from the Employee's gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 81-35, 1981-1 C.B. 255. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan.]

Neither an advisory opinion letter issued by the Internal Revenue Service with respect to the MERS Plan, nor a determination letter issued to an adopting Employer, is a ruling by the Internal Revenue Service that Employee contributions that are picked up by the Employer are not includible in the Employee's gross income for federal income tax purposes. The Employer may seek such a ruling.]

2. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Sections 415 of the Internal Revenue Code.
3. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule (weekly, bi-weekly or monthly):



Weekly



Bi-weekly



Monthly

VI. EARNINGS

Earnings shall be the Medicare taxable wages reported on the Employee's W-2 statement.

VII. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS

The Employer hereby specifies the following vesting schedule:

- (i) Immediate Vesting upon Participation; or

- (ii) 100% Vesting after Stated Year (participant is 100% Vested after not to exceed maximum 5 Years of Service (“cliff” vesting)); or

Stated Year: 1 2 3 4 5

- (iii) Graded Vesting Percentage Per Year of Service (not to exceed maximum 6 Years of Service for 100% Vesting, nor be less than stated minimums below)

| | |
|---------------|--|
| _____ | % after 1 Year of Service. |
| _____ | % after 2 Years of Service. |
| <u> 25 </u> | % (not less than 25%) after 3 Years of Service. |
| <u> 50 </u> | % (not less than 50%) after 4 Years of Service. |
| <u> 75 </u> | % (not less than 75%) after 5 Years of Service. |
| <u> 100 </u> | % (not less than 100%) after 6 Years of Service. |

A member is immediately 100% vested in the member's accumulated balance, including all employer contributions as they vest.

- VIII. Loans are permitted under the Program. **MERS' recommendation is “No,” not to allow loans: this permits your employee's to borrow against their retirement account.**

Yes No

- IX. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a)(including “401(k)”) or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. **MERS' recommendation is “Yes,” to allow rollovers: this permits employees to transfer balances they may have from other employment and monitor them under one plan.**

Yes No

- X. The Employer hereby agrees to the provisions of the MERS Uniform Hybrid Defined Contribution Program and agrees that in the event of any conflict between MERS Plan Document Section 19B and the MERS Hybrid DC Plan, the provisions of Section 19B shall control.

- XI. The Employer hereby appoints the ICMA Retirement Corporation as the Plan Administrator pursuant to the terms and conditions of the Plan.

The Employer hereby agrees to the provisions of the Plan.

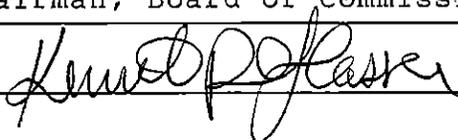
XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the DC Component of MERS Benefit Program H.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this 16 day of December, 2008.

Employer: Otsego County

By: Kenneth R. Glasser

Title: Chairman, Board of Commissioners

Attest: 

Appendix A

DECLARATION OF TRUST

This Declaration of Trust (the "Group Trust Agreement") is made as of the 19th day of May 2001, by **VantageTrust Company**, which declares itself to be the sole Trustee of the trust hereby created.

WHEREAS, the ICMA Retirement Trust was created as a vehicle for the commingling of the assets of governmental plans and governmental units described in Section 818(a)(6) of the Internal Revenue Code of 1986, as amended, pursuant to a Declaration of Trust dated October 4, 1982, as subsequently amended, a copy of which is attached hereto and incorporated by reference as set out below (the "ICMA Declaration"); and

WHEREAS, the trust created hereunder (the "Group Trust") is intended to meet the requirements of Revenue Ruling 81-100, 1981-1 C.B. 326, and is established as a common trust fund within the meaning of Section 391:1 of Title 35 of the New Hampshire Revised Statutes Annotated, to accept and hold for investment purposes the assets of the Deferred Compensation and Qualified Plans held by and through the ICMA Retirement Trust.

NOW, THEREFORE, the Group Trust is created by the execution of this Declaration of Trust by the Trustee and is established with respect to each Deferred Compensation and Qualified Plan by the transfer to the Trustee of such Plan's assets in the ICMA Retirement Trust, by the Trustees thereof, in accord with the following provisions:

1. **Incorporation of ICMA Declaration by Reference; ICMA By-Laws.** Except as otherwise provided in this Group Trust Agreement, and to the extent not inconsistent herewith, all provisions of the ICMA Declaration are incorporated herein by reference and made a part hereof, to be read by substituting the Group Trust for the Retirement Trust and the Trustee for the Board of Trustees referenced therein. In this respect, unless the context clearly indicates otherwise, all capitalized terms used herein and defined in the ICMA Declaration have the meanings assigned to them in the ICMA Declaration. In addition, the By-Laws of the ICMA Retirement Trust, as the same may be amended from time-to-time, are adopted as the By-Laws of the Group Trust to the extent not inconsistent with the terms of this Group Trust Agreement.

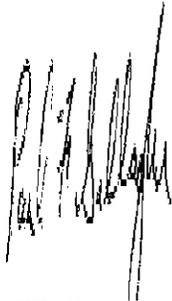
Notwithstanding the foregoing, the terms of the ICMA Declaration and By-Laws are further modified with respect to the Group Trust created hereunder, as follows:

- (a) any reporting, distribution, or other obligation of the Group Trust vis-à-vis any Deferred Compensation Plan, Qualified Plan, Public Employer, Public Employer Trustee, or Employer Trust shall be deemed satisfied to the extent that such obligation is undertaken by the ICMA Retirement Trust (in which case the obligation of the Group Trust shall run to the ICMA Retirement Trust); and
- (b) all provisions dealing with the number, qualification, election, term and nomination of Trustees shall not apply, and all other provisions relating to trustees (including, but not limited to, resignation and removal) shall be interpreted in a manner consistent with the appointment of a single corporate trustee.

2. **Compliance with Revenue Procedure 81-100.** The requirements of Revenue Procedure 81-100 are applicable to the Group Trust as follows:
- (a) Pursuant to the terms of this Group Trust Agreement and Article X of the By-Laws, investment in the Group Trust is limited to assets of Deferred Compensation and Qualified Plans, investing through the ICMA Retirement Trust.
 - (b) Pursuant to the By-Laws, the Group Trust is adopted as a part of each Qualified Plan that invests herein through the ICMA Retirement Trust.
 - (c) In accord with the By-Laws, that part of the Group Trust's corpus or income which equitably belongs to any Deferred Compensation and Qualified Plan may not be used for or diverted to any purposes other than for the exclusive benefit of the Plan's employees or their beneficiaries who are entitled to benefits under such Plan.
 - (d) In accord with the By-Laws, no Deferred Compensation Plan or Qualified Plan may assign any or part of its equity or interest in the Group Trust, and any purported assignment of such equity or interest shall be void.
3. **Governing Law.** Except as otherwise required by federal, state or local law, this Declaration of Trust (including the ICMA Declaration to the extent incorporated herein) and the Group Trust created hereunder shall be construed and determined in accordance with applicable laws of the State of New Hampshire.
4. **Judicial Proceedings.** The Trustee may at any time initiate an action or proceeding in the appropriate state or federal courts within or outside the state of New Hampshire for the settlement of its accounts or for the determination of any question of construction which may arise or for instructions.

IN WITNESS WHEREOF, the Trustee has executed this Declaration of Trust as of the day and year first above written.

VANTAGETRUST COMPANY



By: _____
Name: Paul F. Gallagher
Title: Assistant Secretary